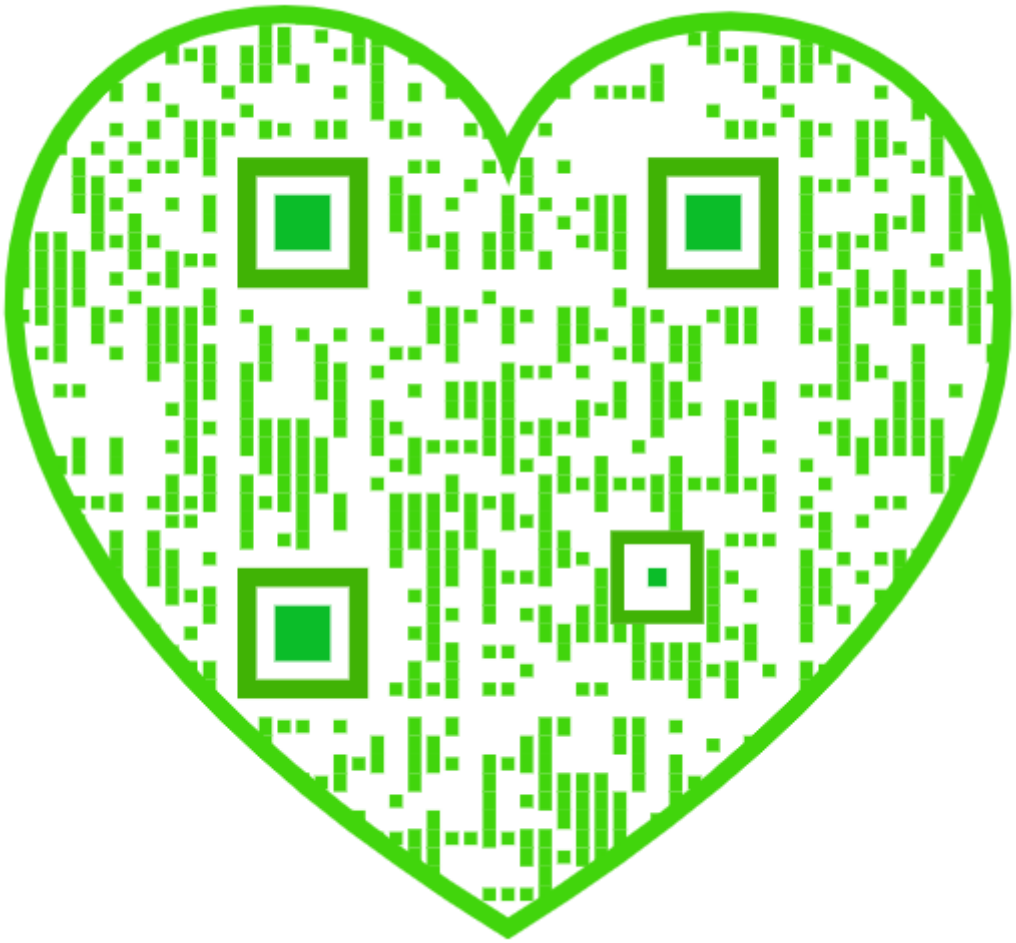

AMERICAN HISTORY

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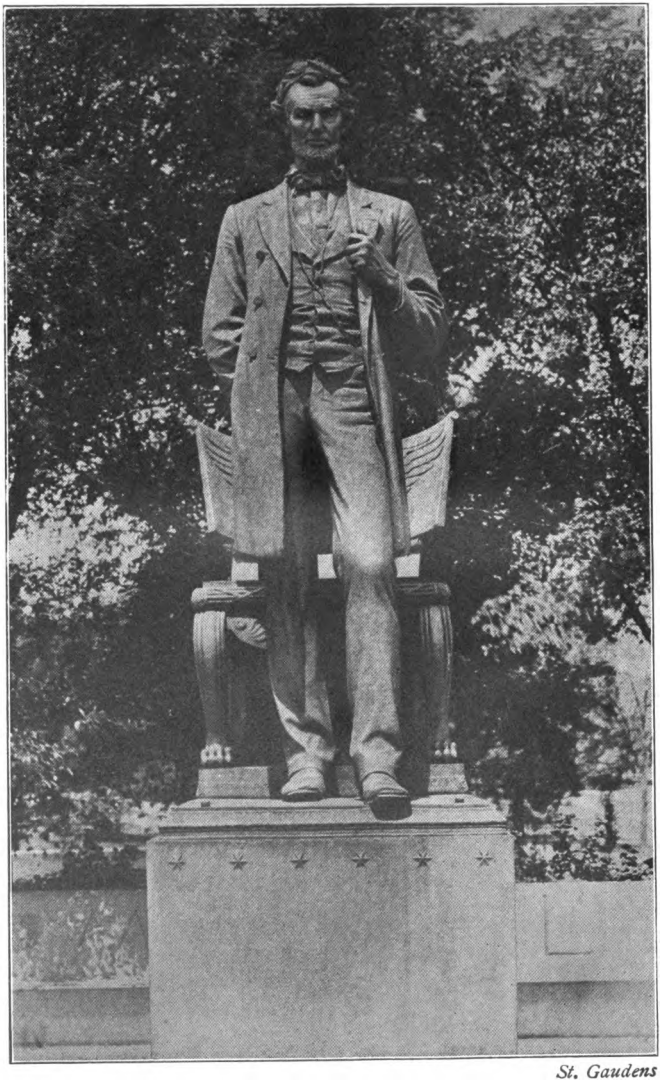

St. Gaudens

ABRAHAM LINCOLN

AMERICAN HISTORY

For Use in Secondary Schools

BY

ROSCOE LEWIS ASHLEY

AUTHOR OF "THE AMERICAN FEDERAL STATE,"
"AMERICAN GOVERNMENT," ETC.

New York
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PREFACE

In this volume the author has treated the topics and suggested the methods that he has found most satisfactory with his own classes. As the development of the nation has been the main theme, many subjects often treated in high school texts have been discarded as non-essential. Many others not connected closely with our national development have been of sufficient interest or importance to receive attention in separate chapters. In order to make as clear as possible the general course of American development and to explain the character of the principal movement within each short period of the nation's life, the subjects have been grouped under topical heads. The author has hoped to indicate by this means the relation of each historical change to the movement of the times and the relation of this smaller movement to the larger phases of our development which are given in the chapters.

The author regrets that in the preparation of this book he has not been able to consult the later volumes of *The American Nation* and cannot give references to these volumes. He wishes to express to Messrs. Harper and Brothers his appreciation for the opportunity to examine proofs of two of these volumes, and to Messrs. Houghton, Mifflin & Company for the use of two maps from Winsor's *Narrative and Critical History of America.* He takes pleasure in acknowledging the many helpful suggestions and criticisms offered by President Kendric C. Babcock of the University of Arizona, Mr. Haven W. Edwards of the Redlands High School, and Miss Anna V. McNair of the Pasadena High School.

PASADENA, CALIFORNIA,
April, 1907.

SUGGESTIONS

On account of the limited time at the disposal of high school pupils, the marginal references have been selected with care. Most of them will be found in the average public library, and a fair proportion in the ordinary high school library. Many of the groups of marginal references can be used for topics to supplement the lists given at the ends of the chapters.

The following lists of books will probably be found most useful in connection with this text. As duplicates are always more useful for class use than even a large number of titles, a large high school library would probably contain a much larger number of books from the first and second lists than from the third.

I. A SMALL LIBRARY

One or more copies of each of the following: —

Cambridge Modern History, Vol. VII.
COMAN, *Industrial History of the United States.*
MACDONALD, *Select Documents of United States History* (1776–1861).
BURGESS, *Middle Period.*
DODGE, *Bird's Eye View of the Civil War.*
HART (ed.), *American History told by Contemporaries*, Vol. IV.
American History Leaflets, Nos. 4, 5, 23, 30.

II. A MEDIUM-SIZED LIBRARY

Selected from the books given above and the following: —

Epochs of American History, 3 volumes.
CHANNING AND HART, *Guide to American History.*
MACDONALD, *Select Charters Illustrative of American History.*
MACDONALD, *Select Statutes of United States History.*
THE AMERICAN NATION: —
BOURNE, *Spain in America.*
ANDREWS, *Colonial Self-Government.*

HOWARD, *Preliminaries of the Revolution.*
VAN TYNE, *The American Revolution.*
MCLAUGHLIN, *Confederation and the Constitution.*
TURNER, *Rise of the New West.*
HART, *Abolition and Slavery.*
CHANNING, *History of the United States*, Vol. I.
PARKMAN, *Struggle for a Continent.*
FISKE, *Critical Period of American History.*
ASHLEY, *American Federal State.*
HART, *Actual Government.*
HART (ed.), *American History told by Contemporaries*, 4 volumes.
American History Leaflets.
Old South Leaflets.
DEWEY, *Financial History of the United States.*
FOSTER, *A Century of American Diplomacy.*
JOHNSTON, *American Political History*, 2 volumes.
BURGESS, *Middle Period.*
BURGESS, *Civil War and the Constitution*, Vol. I.
STANWOOD, *History of the Presidency.*
ANDREWS, *The United States in our Own Time.*
LARNED (ed.), *History for Ready Reference*, Vol. VI.
ELSON, *History of the United States.*

III. A LARGE LIBRARY

Selected from the books given above and the following: —

WINSOR, *Narrative and Critical History of America*, 8 volumes.
**The American Nation*, rest of the 27 volumes.
*FISKE, 13 volumes on American history.
*SEMPLE, *American History and its Geographic Conditions.*
BRIGHAM, *Geographic Influences in American History.*
OGG, *Opening of the Mississippi.*
EGGLESTON, *Beginners of a Nation.*
FROTHINGHAM, *Rise of the Republic.*
LODGE, *Short History of the English Colonies.*
DOYLE, *English Colonies*, 5 volumes.
JOHNSTON (WOODBURN) (eds.), *American Eloquence*, 4 volumes.
ROOSEVELT, *Winning of the West*, 4 volumes.
*TAUSSIG, *Tariff History of the United States.*
SCHOULER, *History of the United States* (1783–1865), 6 volumes.
*MCMASTER, *History of the People of the United States* (1783–1860) 7 volumes published.
WHITE, *Money and Banking.*
*RHODES, *History of the United States since the Compromise of 1850*, 7 volumes.

American Statesmen Series; especially volumes on Franklin, *Washington, *Hamilton, *Webster, *Clay, *Calhoun, Lincoln, Benton, Chase, Seward, and Blaine.

American Commonwealth Series; especially volumes on Virginia, Maryland, Connecticut, Missouri, Indiana, Kentucky, Texas, Louisiana, and Kansas.

LARNED, *History for Ready Reference*, 6 volumes.

*SPARKS, *Expansion of the United States.*

BLAINE, *Twenty Years of Congress.*

COX, *Three Decades of Federal Legislation.*

BURGESS, *Civil War and the Constitution*, Vol. II.

JOHNSON, *War of Secession.*

WOOD-EDMUNDS, *Civil War in the United States.*

Battles and Leaders of the Civil War, 4 volumes.

BURGESS, *Reconstruction and the Constitution.*

FOSTER, *American Diplomacy in the Orient.*

JOHNSON, *American Railway Transportation.*

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RELIEF MAP OF THE UNITED STATES

PART I

THE COLONIAL PERIOD (1492–1763)

CHAPTER I

CONDITIONS AFFECTING COLONIZATION IN AMERICA

What is history?

1. **Introduction.** — Not many years ago the common opinion about history was expressed in the words, "happy is that people who have no history.". To persons holding such a view, history was a record of wars and intrigues, of cruelty, misfortune, and destruction. This opinion of history, common enough a generation ago, is held by few to-day, for we are beginning to realize that history is less a narrative of events than a record of progress — that it should not record the horrors of a nation's life but its achievements. It is hardly necessary to state that this must be quite as much a study of the means used to produce certain results, of the conditions which made possible and necessary certain achievements, as a description of the results themselves; for, after all, the purpose of studying history is not to learn facts, but to understand the causes and results of the great movements in the life of a people.

Choice of topics in American history.

This task is one of great interest and importance, but it presents many difficulties. We cannot, in a short time and within a brief text, examine very much of the material to be found on this broad subject. We must therefore decide what phase or phases of history should receive special consideration, and then seek to concentrate our attention on those topics which mark most clearly the path we wish to follow. Since we cannot study all the phases of American development, we shall devote ourselves particularly to the develop-

ment of the American nation — a subject that is political rather than social — and seek to discover how the American nation became what it is to-day. Many military events will be examined in the course of this study, for our wars have greatly influenced our national development. Commercial activities and social life will be considered to some extent, because without some knowledge of them we cannot understand certain changes in our country.

Two things to be noted.

In connection with each subject studied we should note two things: (1) what are the facts regarding the topic under consideration? (2) how is this event connected with other events we have studied? The first involves not only an act of memory but discrimination between the details that are more important and those that are insignificant; the second compels us to use the knowledge that we have gained in reasoning out the causes and results of the different movements.

Three conditions affecting American history.

Before taking up in a systematic way the record of American development, we must consider first three things that have influenced our progress greatly, especially during our early years. One of these is the geography of the United States, which has influenced our history from the beginning and is now a factor of the first importance in determining the character of our life and occupations. The second deals with the original inhabitants, the Indians, whose influence during colonial times was very great, and the third with the situation in Europe at the time the continent was discovered.

Geographical Conditions

Four important geographical influences.

Winsor (ed.), *America*, IV, x–xv.

2. Geography and American Colonization. — In all ages the geography of different countries has exerted a very great influence on their history. In the development of the United States we can study the influence of physical conditions as, step by step, the territory was explored and opened to settlement. The effect of topography, soil, and climate can be measured, because we have fairly full and exact information of every early attempt to gain a foothold

on this continent. During the colonial period, the geographical characteristics which affected our history most were four in number: (1) The accessibility of the new continent. Its position with reference to Europe, the character of its coast line, the extent of its water systems, and the navigability of its rivers aided exploration and settlement. (2) The possibility of a food supply. As no colony could continue to exist if dependent on Europe or on other colonies for its food, it was necessary that grains and vegetables should be raised easily within the colony. Climate, rainfall, the character of the soil, and many other physiographical conditions affected this problem. (3) Its defensibility. The dangers to which a colony was exposed and the ease with which it might be defended were matters of the first importance. If located in the heart of the country, scattered settlements were out of the question. The neighborhood of unfriendly European colonies was also to be avoided, and especial care was necessary to prevent the destruction of a colony through disease caused by extreme heat or cold or by the fevers all too common in the low marshy coastal belt. (4) Its general resources. Permanency depended on the development of certain industries, which would not only help the colonists to sustain life, but would produce articles which they could exchange for the necessaries that must be procured in Europe. The precious metals of Mexico and South America, the sugar and tobacco of Cuba, and the furs of New France explain the success of Spanish and French colonies. Topography and occupations account to a large extent also for the character of a colony. The compact little hamlets of New England could never have been developed in the broad fertile valleys of the South any more than the system of French trading posts could have been established in the narrow valleys of Massachusetts. After considering some of these physical conditions and the geographical divisions of the United States, we shall note briefly how English and French colonization was affected by them.

Accessibility.

Food supply.

Defensibility.

General resources.

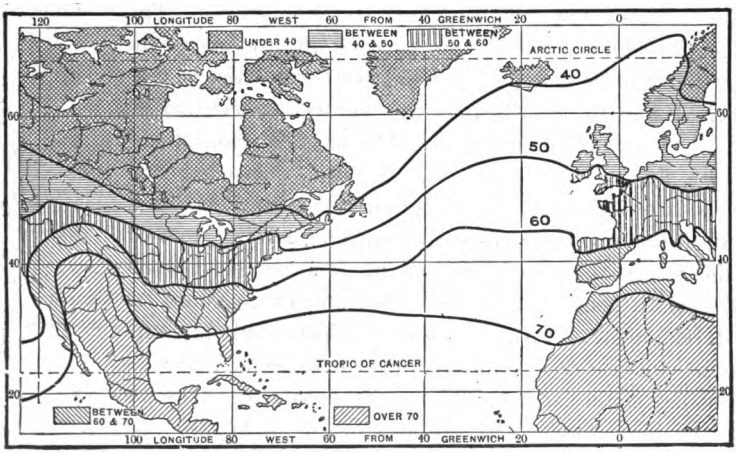
3. **Climate and Rainfall.** — The climate of the United

Temperature of the coast and interior.

States, while on the whole temperate, presents many variations. Two things that had a very great influence on our early history should be noted carefully. (1) The temperature of the Atlantic slope and of the Mississippi basin is much lower than that of Europe in the same latitude, because the warm waters of the Gulf Stream wash the shores of western Europe. (2) The winters in the northern half of the United States are very severe, especially in the interior which possesses to a marked degree the characteristics of a continental climate. The earliest American colonies were

Winsor (ed.), *America*, IV, ii, vi.

Farrand, *Basis of Amer. History*, 17–21.



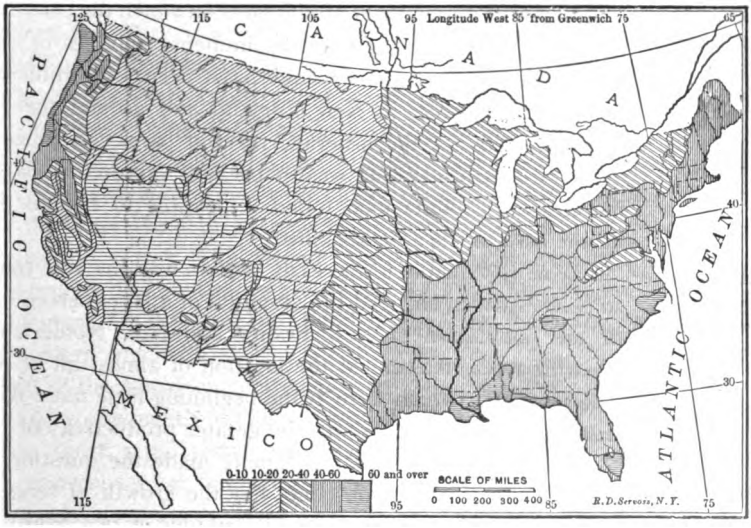
ISOTHERMAL LINES

established below the latitude of Rome and the extreme cold was thus avoided, but most of the English colonists of the seventeenth century settled farther north and found themselves face to face with all the hardships and privations that a long winter would be likely to cause. In several cases the intense suffering led to the complete abandonment of the settlement. This very struggle for existence, however, seems to have benefited those who were courageous enough to attempt or hardy enough to endure the life north of the fortieth parallel.

The rainfall throughout the eastern half of the United States is sufficiently abundant to insure good crops without being so excessive as to prevent cultivation. It is heaviest on the Gulf slope, but almost as great along the Atlantic border. West of the Mississippi River the rainfall is less abundant and beyond the one hundred and fifth meridian is too light for the production of most crops. However, the great semi-arid plains of the West form one of the finest grazing regions in the world.

Variations in rainfall.

Shaler, *United States*, I, 15–20.



AVERAGE RAINFALL

4. **Natural Resources.** — These climatic conditions have made it possible for Europeans to live within the United States. They contributed very largely to the success of the early settlements, because of the ease with which a supply of food could be raised. Without maize or Indian corn many of the early colonies would have been complete failures. Being a native product of this continent, maize was found growing wild to some extent. From the Indians who cultivated it in a crude way, all early settlers secured supplies

Agricultural food supplies.

Winsor (ed.), *America*, IV, xiii–xv.

Shaler, *United States*, I, 25–27.

by purchase or force, and it remained the chief food of the immigrants during the colonial period. This was largely due to the ease with which it was grown in half-cleared forests where wheat could not be raised, and to the abundance of the crop. As it is sensitive to the cold, it cannot be raised in the North, much to the loss of the colonists in that part of the continent. The early settlers depended a great deal on the pumpkins and squashes grown with the maize in the clearings. In the Great Lake basin wild rice was one of the chief foods for a large part of the population.

Non agricultural foods.

Besides the agricultural productions on which the colonists depended, they used as food the immense supplies of fish and game. Colonization would have been very difficult, perhaps impossible, in New England and around the St. Lawrence, but for the fisheries, the cod particularly being a source of considerable wealth because exported in large quantities. Frontiersmen found it possible to sustain life on the flesh of the animals killed.

Commercial value of natural resources.

Far more valuable to the early settlers was the vast trade in peltries which engaged the attention of a large percentage of the population in New France and New Netherland. This fur trade determined the location of almost all of the frontier towns, which were at the beginning little more than trading posts. In the South the greater productivity of the soil and the mildness of the climate made the question of food supply a less serious one, but the growth of tobacco in Virginia especially and the exportation of rice from the coast plantations aided greatly in the development of colonies in that section. The abundance of excellent timber along the coast furnished material for the construction of homes and stimulated industries like ship building. Although the dense forests interfered somewhat with agriculture, they were a valuable aid to the colonists in other ways, lumber being one of the chief exports of the English provinces.

Influence of natural resources in recent history.

From this fragmentary account we can appreciate perhaps the influence of natural conditions on colonial development. We can understand also how the favorable agricultural

conditions in this country, coupled with its unexcelled supply of coal, iron, copper, and other minerals, its numerous rivers and excellent harbors, have made it possible for the United States to develop with amazing rapidity since the colonial period.

Ferrand, *Basis of Amer. History*, 15–17. Winsor (ed.), *America*, IV, viii–x.

5. Geographical Divisions of the United States. — The topography of the United States is very interesting. On the east and the west are two great oceans, the narrower separating us from those European countries from which almost all American settlers came. One half of the southern border is a great arm of the sea, and nearly one third of the northern boundary is a system of lakes penetrating nearly one half of the distance to the Pacific. Two great systems of mountains divide the country into several distinct geographical divisions. One, the Appalachian, running northeast and southwest, parallel with the Atlantic coast line, is low and comparatively narrow, with passes connecting the East with the West along the Mohawk, in Pennsylvania and at Cumberland Gap.[1] The second, the Cordilleran system, averages one thousand miles across and is really a high table land fringed for the most part by high ranges on its eastern and western edges.

General.

Winsor (ed.), *America*, IV, iii–v.

Ferrand, *Basis of Amer. History*, 7–14.

East of the Appalachian system is the Atlantic slope, narrow and consequently rather steep at the north, giving that section short, rapid rivers, with narrow valleys, and often with numerous water falls; broader at the south, so that the country is more nearly level, the valleys therefore wider, and the rivers slower and navigable for a longer distance. Along the coast there are numerous bays and harbors, some of which are particularly fine. On the south Atlantic slope and on the eastern Gulf slope the coast is often marshy for a considerable distance inland.

Atlantic slope.

Shaler, *United States*, I, 53–58, 61–64, 69–74.

Between the great mountain systems lies the magnificent Mississippi basin, the river and its tributaries comprising

Mississippi basin.

[1] The highest peaks are but little over six thousand feet. There are two ranges separated from Pennsylvania and North Carolina by a broad, fertile valley.

Shaler, *United States*, I, 102–107, 127–130.

nine thousand miles of navigable streams more than three feet in depth, draining an area of about a million and a quarter square miles of the finest land on the globe. With a fertile soil and abundant rainfall, except in the West, a climate that is marked by short, hot summers, and in the North by long severe winters, the Mississippi basin is to-day the greatest agricultural region in the world. In colonial times comparatively little use could be made of these characteristics because it was not easily accessible before the days of steam. Mountain ranges shut it off from the Atlantic coast. Falls and rapids in the St. Lawrence basin practically closed that avenue of approach. Access by way of the lower Mississippi was precluded because of the river current and the swamps on either side which made the banks uninhabitable except in places for a long distance from the Gulf. Since the middle of the eighteenth century, however, the Mississippi valley has been the scene of many of the most important conflicts in our history, and it has furnished the issues for numerous great national contests.

Great Lake basin.

Brigham, *Geographic Influences*, 105–114.
Shaler, *United States*, I, 119–127.

North of the eastern Mississippi basin and the Atlantic slope is the basin of the Great Lakes, covering a comparatively small territory aside from the water area. Since it was closed to the outside world for one half the year, when the St. Lawrence was frozen over, and was inaccessible directly because of the rapids in the St. Lawrence River and Niagara Falls, the upper St. Lawrence basin was practically unoccupied during the colonial period. The lower St. Lawrence basin, which is open to sea-going ships as far as Montreal, was the seat of a thriving colony, supported in large part by the fur trade with the interior.

The Atlantic slope.

Winsor (ed.), *America*, IV, xxiii–xxx.

6. **Influence of Geography on English Colonization.** — All of the English colonies proper were confined to the Atlantic slope, which offered many advantages to the settler. It was the most accessible part of the continent, being almost directly across from Europe[1] and offering shelter to the

[1] On account of the prevailing west winds in the north temperate zone and eastward direction of the north Atlantic currents, however, most of the

pioneers because of its many harbors. As far inland as the mountains the sloping character of the country, with the numerous short but navigable rivers, gave easy access to a region which was attractive and usually fertile. In the South the Atlantic slope was much broader than in the North. The valleys of Virginia and the Carolinas are broad and fertile. As the climate favored the growing of tobacco, rice, and cotton which can be raised most profitably on large plantations, a scattered agricultural population was inevitable. In New England the stony clay soil of the narrow valleys was not well adapted for agriculture, while the abundance of small but sheltered harbors made it desirable for the people to keep near the coast and give their attention to commerce. The middle section, in this as in most other respects, was a mean between the North and the South and partook of the characteristics of each. The magnificent harbor of New York, at the mouth of the Hudson River and at the eastern extremity of the only low pass from the coast to the West, gave that location advantages over every other, and made it the natural commercial metropolis of the East.

Communication with the interior.

During the colonial period, however, there was little communication between New York and the interior because the Iroquois controlled the Mohawk route and the French occupied that part of the Great Lake basin beyond. Farther south several passes permitted entrance to the Ohio valley, the key to the whole of that basin, the junction of the Allegheny and Monongahela, lying but a step beyond the last range of hills. Still farther south the great valley between the parallel ranges of the Appalachian mountains, and the gaps from that valley to the fertile region south of the Ohio River, made emigration to the West possible though not easy.

Férrand, *Basis of Amer. History*, 27–35.

The Appalachian mountains.

The mountains were of special value to the colonies because they could be crossed only with difficulty. They afforded protection from attack from the interior and allowed

early voyagers came by way of the Canaries and the West Indies, the trade winds blowing regularly from the east in that latitude.

Brigham, *Geographic Influences*, 76–89. Semple, *Amer. Hist. and its Geographic Conditions*, 36–51.

the English colonies to thrive in comparative peace, expanding with a natural and healthy growth into the foothills without danger of attack from their European rivals. The strength of the English colonies was to a great extent the result of compactness due partly to their agricultural and commercial pursuits, and in part also to the mountain barrier which confined them to the narrow sea border.

The great interior basins.

Winsor (ed.), *America*, IV, xx–xxiii.

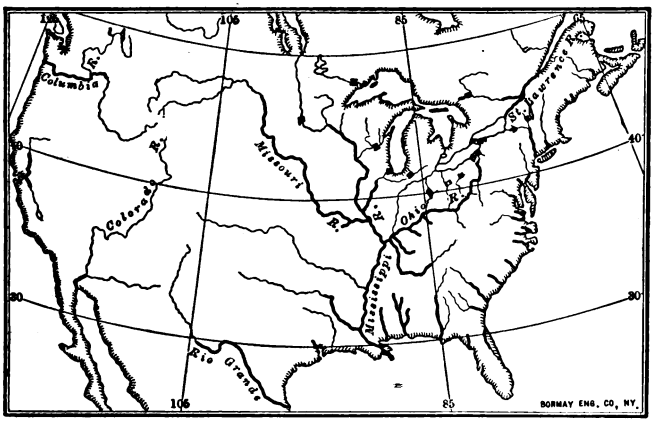
7. Geographical Advantages of the French Colonies. — The territory occupied by the French presented marked contrast to that of the English. France was fortunate enough to gain possession of the two great basins — those of the St. Lawrence and the Mississippi — which apparently were the gateways to the interior of the continent. Apparently, for it was by no means easy, as we have noticed, to pass from the lower St. Lawrence to the four great lakes beyond Niagara Falls, or to ascend the Mississippi as far as either of its important branches. Had the French been in search of homes, they could not easily have established themselves in the lower St. Lawrence on account of the cold and the sterility of the soil, or have founded extensive colonies in the lower Mississippi valley because of the swampy, malarial condition of the country. Neither could they have penetrated to the interior by either route readily had they been accompanied by their families and encumbered with household necessities.

Hold of the French on the interior.

Ferrand, *Basis of Amer. History*, 23–27.

With the French, however, actual colonization was always subordinate to their real work of exploring, trading, and occupying the country. For this task their geographical position was of the highest value. From Montreal, a trader, with comparatively little difficulty, might reach the valley of the Ohio, the basin of the upper Great Lakes, the Mississippi and its many branches, and the entire system of waterways northwest of Lake Superior, because short portages over comparatively level spaces connected the waters of the three great interior basins of the continent, which two centuries ago formed probably the richest fur-bearing region on the globe. Where the trader might go, the soldier could

follow. In time, for both commercial and military reasons, posts were established at the points where important waterways or paths joined, giving the French control of the region to which these ways penetrated. The skill shown in the selection of these points is apparent from a glance at the map. Notice the position of Montreal, Fort Frontenac, Fort Duquesne, Detroit, Fort St. Marie, Fort St. Joseph, Fort



RIVERS AND PORTAGES OF THE UNITED STATES

Heavy single lines show depth of 3 feet or more — Double lines shows portages

Chartres, and New Orleans, and we cease to wonder why the French maintained a hold, slight to be sure, on the best part of the North American continent.

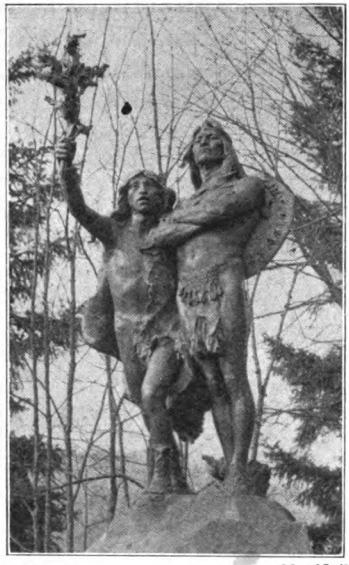
The North American Indian

8. The Indian Tribes. — A second influence during colonial times, less important than physiography, but considerable nevertheless, was that exerted by the native races. There were no early settlers that did not come into contact with the red man, to be helped by him or hindered because of his hostility. These savage hunters were especially numerous along the heavily timbered Atlantic slope, within easy reach of the great supply of fish on the one hand and the animals of the forest on the other. Although they had

Numbers, customs, and organization.

Ferrand, *Basis of Amer. History*, 148–175.

not reached a high degree of civilization, each tribe occupied a fairly definite territory which was rather extended because of the need of broad hunting grounds. Within the present limits of the United States, they numbered, at the beginning of the seventeenth century, probably not more than a quarter million.



MacNeil

INDIANS

Three great families.

Of the families encountered by the French or English only three were particularly numerous or important. (1) Of these the Algonquins occupied much the largest territory, including most of the seacoast and the larger part of the upper basins of the Mississippi and the Great Lakes. The tribes differed greatly from one another, those of the North and West being, as a rule, fiercer and more nomadic than their kinsmen of the southeast, the Delawares of Pennsylvania and the Powhatans of Virginia, for example. (2) The Iroquois family occupied the basins of Lakes Erie and Ontario and the Mohawk valley, as well as a large district in the southern

Appalachian region. It included the "Five Nations" of New York whose political organization, the most perfect of any north of Mexico, enabled them to conquer all their neighbors, either Iroquois or Algonquins, so that they often controlled the territory as far south as the Kenawha and as far west as the Wabash. Of great ability and courage unusual even among Indians, the Iroquois have left an impress on our history that is out of all proportion to their number. (3) From the Atlantic to the Mississippi, and from the Tennessee River south to the Gulf of Mexico, dwelt the Muskhogean family, of which the most numerous, ablest, and most civilized tribe was that called Creek.

Social organization.

9. **Life and Character of the Indians.** — It is no part of our purpose to study the life and occupations of the Indian except to appreciate his attitude toward the whites and understand his influence on the colonization of America by Europeans. Living in villages that were often little more than headquarters for hunting expeditions and raids, the Indians were not attached to the soil and removed their wigwams with ease. They found it difficult to fight successfully with the colonists, not alone because bows and arrows were no match for muskets, but because they were seldom united. Each tribe had its own village and lived its own life under chiefs who recognized no higher authority. This separateness prevented concerted movements, except when some great common danger united the tribes for a brief period.

Parkman, *Struggle for a Continent*, 460–464.

Ferrand, *Basis of Amer. History*, 215–218, 240–247.

Stern qualities.

The character of the Indians has never been portrayed better than by the master hand of Francis Parkman. He gives us this picture. "Nature has stamped the Indian with a hard and stern physiognomy. Ambition, revenge, envy, jealousy, are his ruling passions, and his cold temperament is little exposed to those effeminate vices which are the bane of milder races. With him revenge is an overpowering instinct; nay, more, it is a point of honor and a duty. His pride sets all language at defiance. He loathes the thought of coercion, and few of his race have ever stooped

to discharge a menial office. A wild love of liberty, an utter intolerance of control, lie at the basis of his character, and fire his whole existence. . . . With him the love of glory kindles into a burning passion, and to allay its cravings, he will dare cold and famine, fire, tempest, torture, and death itself.

Indian trickiness.

"These generous traits are overcast by much that is dark, cold, and sinister, by sleepless distrust and rankling jealousy. Treacherous himself, he is always suspicious of treachery in others. Brave as he is, — and few of mankind are braver, — he will vent his passion by a secret stab rather than an open blow. His warfare is full of ambuscade and stratagem."

The race and civilization.

"Some races of men seem molded in wax, soft and melting, at once plastic and feeble. Some races, like some metals, combine the greatest flexibility with the greatest strength. But the Indian is hewn out of a rock. You can rarely change the form without destruction of the substance. Races of inferior energy have possessed the power of expansion and assimilation to which he is a stranger, and it is this fixed and rigid quality which has proved his ruin. He will not learn the arts of civilization and he and his forest must perish together."

Differences in Indian policy of the Spanish, French, and English.

10. General Relations of Indians and Whites. — It was perhaps fortunate for the English that the Indian was incapable of civilization, for it prevented the mixing of the races. The Frenchmen tried intermarrying with the natives, adapting themselves to the standards of the Indians; but the English, a colonizing race, failing to raise the Indian to a level somewhere near their own, treated them always as inferiors. It was as impossible for the Englishman to make a boon companion of the Indian as it was for the Spaniard to respect his rights, so that both were obliged to suffer the loss of his help, which the Frenchman enjoyed. Yet in spite of the difference between the attitude of these three European races toward the red men, it was found that as a rule the Indians responded to the treatment they received. The old saying that an Indian never forgets and never

forgives is full of meaning in our early history. The Spaniard found to his cost that his cruelty was repaid with usury. He dared not venture into the interior unless his errand was purely one of peace and good will toward men, and it was with difficulty that he maintained on the coast a hold whose military character showed how feeble it really was. The English experienced the result of both kindness and folly. Without the friendship of the Indians some settlements must have perished, and without their hatred others would have expanded with much greater rapidity.

General help given to all of the settlements

11. **Help given to the English by the Indians.** — The dependence of the whites on the Indians was especially marked in the early English settlements. Time after time, the settlers would have died of hunger but for the food furnished by the natives. The first successful efforts of the colonists to raise a supply for themselves were but imitations of the crude Indian methods of agriculture. The Indians showed them how to plant maize in the half-cleared forests, how to fish through the ice, and how to trap game. They taught them to navigate the streams in birch-bark canoes. Clothing was made from skins after the Indian fashion. From the beginning the Indians exchanged valuable furs for trinkets, and the great development of the fur trade, which was a chief source of wealth in more than one American possession, was possible because the Indians brought so many pelts to the traders. Exploration of the interior would have been a very much slower process but for the use made of the numerous Indian trails and the help given by the Indian guides who led the way to the easiest portages.

Aid given by the Six Nations.

The Five Nations, or Six Nations as they became in 1715, exerted an exceptional influence on American history. This was due to their location, their character, and their political organization. Occupying, as they did, the Mohawk valley and the territory south of Lake Ontario, they controlled the southern route from the St. Lawrence River to the Great Lake basin and the Ohio valley, and the best route from the Atlantic coast into the interior. They became the

Ferrand, *Basis of Amer. History*, 153–162.

persistent enemies of the French, because the French leaders in the St. Lawrence valley found it necessary to ally themselves with the Indians of their section, who were traditional foes of the Five Nations. This made it easy for the Dutch, and later the English, in New York, to gain and retain the friendship of this powerful confederacy. This friendship was exceedingly valuable to the English, because the Iroquois prevented the French from gaining possession of the Mohawk and Ontario valleys and from making inroads on the English settlements during the colonial wars. It also gave the English their first real claim to the land beyond the mountains, for the Iroquois by treaty transferred to the colonists the rights which they enjoyed as conquerors of the territory a long distance to the south and west.

Failure of uprisings against the colonists.

Eggleston, in *Century*, XXVI (1883), 697–704.

12. **Results of Indian Wars.** — Many of the other Indian tribes played an important part in the history of several colonies, although none of them exerted an influence equal to that of the "Six Nations" on the great struggle of Europeans for the possession of the continent. All of the English colonies were undoubtedly more compact than they would have been without the danger of Indian attacks. Yet there was never an important contest between the settlers and the natives that was not won by the colonists. In every case the Indians were pushed back from the coast without great loss to the whites, and, in the case of one colony, Connecticut, the only tribe worthy of consideration was practically exterminated during the first five years of the colony. Later Indian uprisings like that of King Philip (§ 74) were just as disastrous to the natives.

Contests in the West after 1750.

The Indians from the Alleghanies to the Mississippi prevented the rapid settlement of that region. From the time when the French surrendered to the English their claim to the Ohio valley and the basin of the Great Lakes (1763), it was necessary to establish boundary lines between the territory belonging to the Indians and that opened to settlement. In the terrible war known in history as the conspiracy of Pontiac (1763), during which the frontier suffered terri-

bly from Maryland to Lake Huron, the Indians were united against the immigrants. During Washington's administration as president, several armies were defeated until General Anthony Wayne won a decisive victory and left the northwest frontier safe once more. The final contests with the Indian tribes came about the time of the second war with Great Britain, when in 1811 General W. H. Harrison quelled the uprising of all the northern Indians under Tecumseh, and in 1814 General Andrew Jackson destroyed the encampment of the Creeks in the South. With the removal of the Indians to the Indian Territory soon after 1830 and the occupation of Indian lands in the North (§ 271), the red man ceased to influence the history of the eastern United States. The Sioux and Apaches gave considerable trouble in the settlements of the West, but during the nineteenth century Indian troubles were relatively insignificant.

Europe during the Fifteenth Century

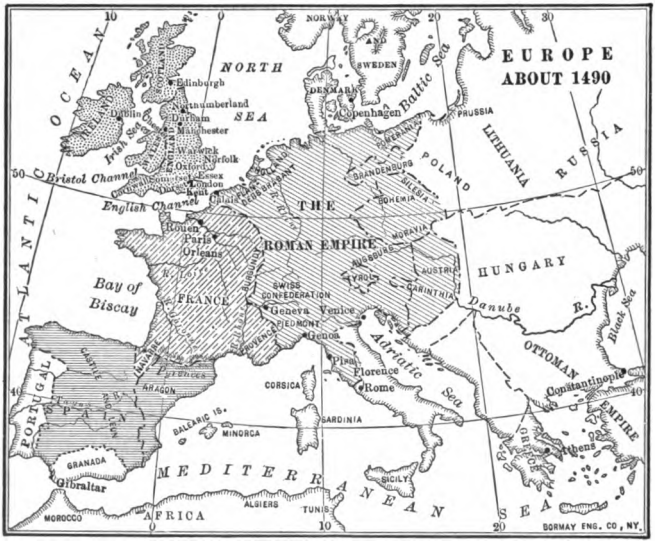
Dependence of America on Europe before 1750.

13. **Connection between the History of Europe and America.** — It is scarcely too much to say that, during the three centuries which followed the discovery of America by Columbus, the history of America was but a phase of European history. If we wish to know why Columbus set out on his great voyage into unknown waters, why there was so much interest in exploring America, or why certain nations took part in colonizing movements, we must seek our answer in the history of the old world. The differences between the colonies of England and France, the final success of England in the struggle for possession of eastern North America, even the causes and results of both our wars with England, can be understood only when we know the situation in Europe during those years. It is not our desire to treat in this book the history of Europe during those formative centuries. Attention will be called at the proper places to the European events which exerted a direct influence on the development of this country. In these sections we shall consider briefly the situation in Europe during the fifteenth century, so that

we may appreciate what Europe was like four or five hundred years ago, and know why America was discovered and settled in the way that it was.

The separate nations (1450–1490).

14. Political Europe after 1450. — The Europe of the fifteenth century was essentially a modern Europe in its awakening tastes and desires, but a mediæval Europe in the degree of its progress and development. The intellectual revival which became prominent after 1450, the renewed



EUROPE A.D. 1490

interest in religious matters that followed in its wake, and the attempts to unite the little feudal dukedoms into which Europe was divided before 1400 were epoch-making movements that could not be completed in a few years. In the half century preceding the discovery of America, France had succeeded in unifying her different feudal provinces under comparatively powerful kings, and all of the little kingdoms of the Spanish peninsula, except Portugal, had been united under the joint rulers, Ferdinand and Isabella. But Spain was too much absorbed in subduing the nobility

and driving the Moors from Granada to devote much attention to outside interests, and France was more interested in showy conquest than in solid development. The rest of the European countries were still much as they had been. Little Portugal and the cities of Italy were the most enterprising and successful states at that time. Germany was divided into so many petty states that she frittered away her power and failed to exercise the influence which her geographical position and natural resources might have given her. England was still a second-rate power even among the undeveloped nations of that day. Her agriculture was crude, her manufactures and commerce undeveloped, and her kingdom rent by the feuds of nobles until the strong rule of the Tudors established a monarchy worthy of the name. In Italy the pope still claimed the right to exercise temporal power, and his spiritual power was as yet recognized throughout western Europe, although soon to be denied by all of the northern nations.

Development of trade after the crusades.

15. **Trade with the East before 1475.** — The intellectual sluggishness and commercial inactivity which were characteristic of the middle ages were giving place in the fifteenth century to a renewed interest in learning, in industry, and in international commerce. The spirit of enterprise thus aroused expressed itself in no way more emphatically than by a desire to trade with the East, for the crusades had given the first insight into the wealth that lay beyond Constantinople and Jerusalem. Marco Polo and other travelers had brought back such glowing accounts of China and India that even the mysteries which seemed to pervade that distant portion of the globe were no longer sufficient to frighten away the timid travelers and merchants. Venice and Genoa, which had created a merchant marine by building ships to carry soldiers to the Holy Land, built up a trade of considerable proportions during the following centuries.

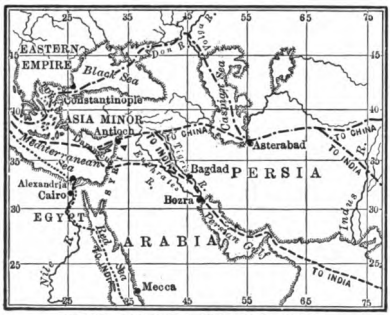
Fiske, *Disc. of America*, I, 274–292.

The three trade routes.

Three routes were used most in carrying on with Asia a large and flourishing business in spices, silks, precious metals, and gems. One of these followed the Black and Caspian

Cheyney, *European Background*, 22–27.

seas, a second crossed Syria to the Euphrates, and the third used the Nile and the Red Sea, connecting them by caravan. With the capture of Constantinople by the Turks (1453) and the invasions of those fierce warriors into Syria and Egypt a little later, these routes were closed or made too dangerous for traveling, and trade disappeared; but neither the merchants who carried these precious articles nor the people of wealth who used them were willing to forego the desirable and lucrative commerce with Asia. Effort was redoubled to find a new route to India. In this work the navigators trained by Genoa and Venice rendered valuable service in the employ of other countries, since the location of Venice and Genoa made it impossible for them to compete with the nations bordering on the Atlantic.



MAIN ROUTES TO THE EAST

The route around Africa.

16. Search for New Sea Routes to India. — Two ways seemed possible to the school of navigators of that time: the one around Africa, the other directly west across the Atlantic. Under the rule of the able Prince Henry of Portugal, the coast of Africa and the islands to the west had been explored by the Portuguese, the belief being that the Atlantic and Indian oceans joined south of Africa, and that if the southernmost point of the African continent were rounded, India could be reached with little difficulty. This was finally proved to be true, but only after great delays. The Cape of Good Hope was discovered by Bartholomew Diaz as late as 1487, and India was first reached by Vasco da Gama in 1498.

Fiske, *Disc. of America*, I, 316–334.

The route to the West did not attract the same amount of interest or effort because every one dreaded to risk the

dangers of the "sea of darkness." Many educated persons believed that the earth was spherical, but opinions as to its size and the width of the Atlantic were exceedingly varied. Most of the views in fact were borrowed from the ancients, many of whose writings, after centuries of oblivion, were published during the fifteenth century. As early as the sixth century before Christ, the Pythagoreans believed in the sphericity of the earth. In the fourth century before Christ Aristotle had held that the earth was round and expressed the opinion that there was probably only one sea between Spain and India. A century later Aratosthenes computed the circumference of the earth at twenty-five thousand two hundred geographical miles and thought that the distance from Europe west to Asia was so great that there might be one or two continents in this unknown region. The great Roman geographer, Ptolemy, came much nearer the fact, estimating the circumference at twenty thousand four hundred geographical miles. These views of the ancients were known during the middle ages or were republished during the fifteenth century. One of the most remarkable of these new books was a kind of encyclopedia of geographical knowledge which was published in 1409 under the title of *Imago Mundi*, and contained many of the Greek and Roman beliefs. A copy of this book was owned and carefully studied by Christopher Columbus, who accepted the view that the earth was round. But Columbus believed it to be much smaller than it is and thought that the Atlantic Ocean was comparatively narrow.

Ancient and mediæval views of the sphericity of the earth.

Fiske, *Disc. of America*, I, 296–300, 368–381.

17. **Summary.** — During colonial times three chief influences on our history were physiography, the Indians, and conditions in Europe. The moderate temperature and adequate rainfall adapted the Atlantic coast and the Mississippi basin particularly to the support of life. Cod and corn were used chiefly as food. The abundance of furs in the interior, and of silver in Mexico, and the ease with which tobacco was grown in Virginia, influenced greatly the permanent settlement in each of those regions. Because of its

Geography.

accessibility almost all of the early settlements were made on the Atlantic coast, England gaining control of the slope and establishing compact settlements on the harbors or in the narrow valleys of the North and plantations in the broader valleys of the South. The mountains hindered expansion into the interior, but prevented attacks by other nations or the Indians from behind. As the French desired trade, they gained a slight hold on the Mississippi and St. Lawrence valleys by occupying strategic points.

The Indians.

The Indians were friendly to most of the early colonists and helped them by giving them food and teaching them how to live in a wilderness. Their hostility at a later time was due either to the cruelty of the settlers or to the encroachments of the whites on their hunting grounds. Only one family, the Iroquois, resisted the advance of the whites successfully. These warriors kept off the French and usually aided the English because the latter did not care to penetrate so far inland.

Influence of Europe.

Until after the Revolutionary War, American history was little more than a phase of European history. At the time America was discovered, Europe was composed of partly united kingdoms like France or Spain or of decentralized feudal states like Germany. The only wealthy countries were those that had engaged in commerce since the crusades. Venice and Genoa were most prominent, but the closing of the eastern trade routes destroyed most of their trade. The future belonged to the nations bordering on the Atlantic, first to Spain and Portugal, which were already aroused to the possibilities of commerce, and later to the more slowly developing French, English, and Dutch nations.

TOPIC

THE IROQUOIS CONFEDERACY: Larned (ed.), "History for Ready Reference," I, pp. 89–92; Fiske, "Discovery of America," I, pp. 66–77, II, pp. 530–531; Lee (ed.), "History of North America," II, pp. 143–153.

STUDIES

1. Western Europe and American exploration. (Semple, "American History and its Geographic Conditions," pp. 1–18.)

2. Influence of the triangular shape of North America on its exploration. (Cf. Fiske, "Discovery of America," II, Chapter XII.)

3. Fur trade and fisheries. (Weeden, "New England," I, pp. 129–135.)

4. The great Appalachian valley. (Semple, "American History and its Geographic Conditions," pp. 54–61.)

5. The Hudson-Mohawk route. (Brigham, "Geographic Influences in American History," pp. 3–26.)

6. French use of portages. (Semple, "American History and its Geographic Conditions," pp. 27–31.)

7. Indian policy of French and English. (Parkman, "Struggle for a Continent," pp. 256–264.)

8. Indian warfare and captives. (Eggleston, *Century*, XXVI (1883), pp. 704–718.)

9. Pontiac's conspiracy. (Parkman, "Struggle for a Continent," pp. 473–513.)

10. Consolidation of France. (Duruy, "Modern Times," pp. 8–26.)

11. Unification of Spain. (Cheyney, "European Background," pp. 81–96.)

12. Commerce of Venice. (Brown, "Venetian Republic" (Temple Primers), pp. 44–65, 75–81.)

13. Henry the Navigator. (Cheyney, "European Background," pp. 62–69.)

QUESTIONS

1. Make an outline showing the character of the soil, temperature, and rainfall of each of the following geographical divisions: lower St. Lawrence, upper St. Lawrence, north Atlantic slope, south Atlantic slope, Gulf region, central Mississippi basin.

2. Make a (companion) outline for the same divisions showing the accessibility, food supply, defensibility, and resources.

3. Mention some of the conflicts of national importance that have taken place in the Mississippi valley. What are some of the national issues furnished by the West?

4. What was the influence of the Appalachian mountains on the expansion of the English colonies and the struggle for the interior?

5. Locate Niagara, Duquesne, Detroit, Ste. Marie, New Orleans. What waterways or trails did they control? What portages made it easy to pass from the basin of the Great Lakes to that of the Mississippi?

6. Would the task of colonizing America have been easier had there been no native races?

7. Cite at least eight instances before 1775 when events in England influenced American history. Trace the influence. Do the same with three events in America that influenced England.

CHAPTER II

THE FIRST CENTURY (1492–1600)

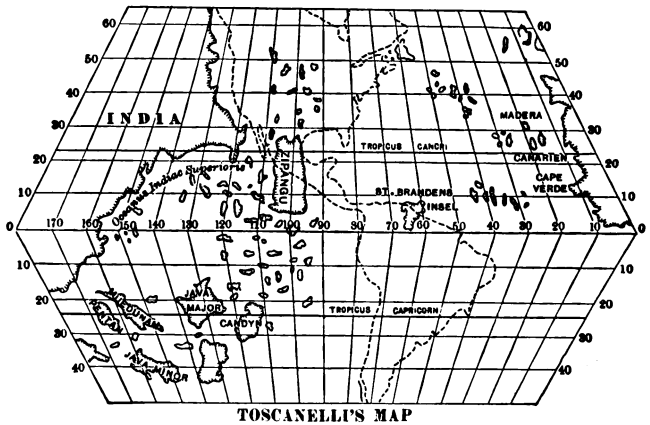
ENGLISH RULERS

Henry VII (1485–1509)
Henry VIII (1509–1547)
Edward VI (1547–1553)
Mary (1553–1558)
Elizabeth (1558–1603)

THE DISCOVERY OF A NEW WORLD

Columbus in Portugal and Spain.

18. Preparation of Columbus. — Christopher Columbus was born near Genoa, before the middle of the fifteenth century. His parents were poor and he had comparatively few early advantages. Before reaching manhood he began



TOSCANELLI'S MAP
(Showing location of the Americas in dotted lines.)

Channing, *United States*, I, 14–20.

his career as a sailor, spending part of his time when ashore studying navigation or geography and making maps. For several years he resided in Lisbon, the chief center of commercial activity in western Europe. While there he wrote to an Italian philosopher, Toscanelli, asking him for information regarding a direct voyage to India. Toscanelli

replied, suggesting that Japan could be reached by sailing directly west, and inclosing a map according to which Japan was less than four thousand miles from Spain. Later Columbus asked the king of Portugal to aid him in making this voyage, but the monarch gave him no encouragement. Subsequently Columbus entered the service of Spain, endeavoring for several years to get governmental aid for his enterprise. But the times were unpropitious, for Ferdinand and Isabella were making a final effort to drive the Moors from the southern part of the peninsula. This was accomplished in 1492, and that same year they made an agreement to furnish the vessels for the expedition, to give Columbus absolute power as viceroy over the territories discovered, and to allow him one tenth of all the wealth obtained through his explorations.

Bourne, *Spain in America*, 8–19.

Winsor (ed.), *America*, II, 1–9.

COLUMBUS

19. Columbus's First Voyage. — On August 3, 1492, he set sail from Palos with three caravels, the largest of which was less than one hundred feet in length. After a delay at the Canary Islands, the little fleet started out into unknown waters. In midocean they encountered a vast mass of weeds now known as the "Sargasso Sea." Going to the north of this, they proceeded westward, constantly finding indications of land. Great numbers of birds were seen, and as most of these proceeded southwest, Columbus was persuaded to change his course. In the early morning, October 12, land was sighted, and at daybreak Columbus landed on one of

Crossing the Atlantic.

Hart, *Contemporaries*, I, No. 17.

Channing, *United States*, I, 20–23.

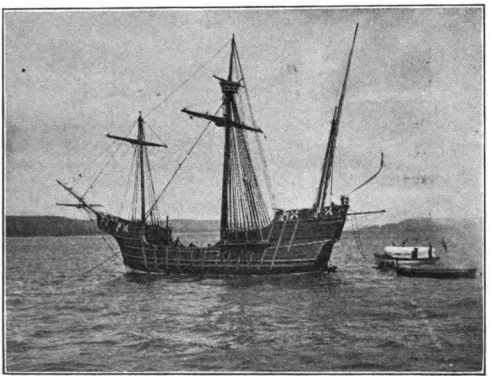
Bourne, *Spain in America*, 20–23.

Am. History Leaflets, No. 1.

the easternmost of the Bahama Islands. Had he continued west, he would have been borne still farther north by the Gulf Stream and have reached the coast of the United States.

The return voyage.

After visiting several islands of the Bahamas, Columbus coasted along the shores of Cuba and reached San Domingo, where his largest vessel was wrecked and a garrison left. The return voyage was marked by a severe storm which



Columbian Exposition Model
A CARAVEL

Bourne, *Spain in America*, 23–28.

separated the vessels, but, after many experiences, both reached Palos on the same day, March 15, 1493. The Spanish monarchs received the discoverer with every mark of esteem and he was treated with almost royal honors.

Papal bull and treaty of Tordesillas.

Hart, *Contemporaries*, I, No. 18.

Bourne, *Spain in America*, 29–32.

20. The Pope's Division of the Earth. — As soon as Columbus returned to Spain, King Ferdinand sent at once to Rome and requested that Pope Alexander VI confirm his title to the lands discovered in the west. The pontiff accordingly issued a decree in which he proclaimed that Spain was entitled to the lands lying west of the meridian which was one hundred leagues west from any of the islands commonly called the Azores or Cape Verde. The right to heathen lands lying east of this line was confirmed to Portugal, whose claims to territories discovered in Africa had already been recognized by the Holy See. As Portugal was

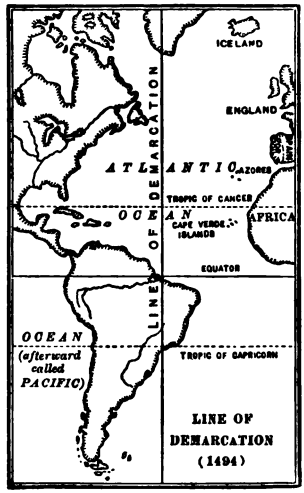
dissatisfied with this division of the globe, negotiations were begun at once with Spain which ended in the treaty of Tordesillas, signed June 7, 1494. The line of demarcation was to be drawn three hundred and seventy leagues west of the Cape Verde Islands.

Fiske, *Disc. of America*, I, 453–460.

This line did not touch North America, but was not far east of the country discovered by the Cabots in 1497 (§ 22), so that in 1500 the Cortereal brothers explored the coasts of Newfoundland and Labrador with the hope that they might be claimed by Portugal. On the other hand, a large part of South America lay east of the line, and when in 1500 a Portuguese, Cabral, on his way to the Cape of Good Hope, accidentally sighted the coast of what is now Brazil, the way was open to the establishment of a Portuguese colony in the new world. On the other side of the world Portugal had an undisputed claim to most of the islands, but Spain gained possession of the Philippines before it was learned that they were located in Portugal's half of the globe. This papal division was ignored of course by many of the other nations.

Influence of the division.

Bourne, *Spain in America*, 63–66, 73–75.



21. Later Voyages of Columbus. — Columbus did not remain long in Spain after his first voyage, because of the danger that Portugal would send out a fleet to seize the lands which he had discovered. The equipment for the second voyage was a marked contrast to that of the first. A large fleet carried nearly fifteen hundred persons, among them many nobles in search of wealth. A number of the West India islands, including Porto Rico and Jamaica, were visited and a Spanish colony established on Hispaniola (San Domingo).

Second voyage.

Larned (ed.), *Ready Ref.*, I, 50–51.

Third voyage.

Columbus returned to Spain in 1496 and did not start on his third voyage until two years later. On this expedition he first saw the mainland of South America, near the mouth of the great Orinoco River. Soon after a special envoy was sent from Spain to investigate the charges of misgovernment which had been brought against Columbus as governor, and he was arrested without delay. On his return to Spain in chains, the monarchs disavowed the action of their representative, but Columbus never regained the authority thus taken from him.

Bourne, *Spain in America*, 46–53.

Fiske, *Disc. of America*, I, 488–503.

Fourth voyage.

His fourth and last voyage in 1502 brought him to the coast of Central America, although he still believed he was off the coast of the Indies. His later years were full of bitterness, for he proved to be incompetent for the great task of governing a colony, and being harsh in dealing with natives he made enemies who succeeded in stripping him of his honors. He died in 1506, obscure and neglected, without knowing that he had led the way to a new world, which was separated from Asia by an ocean larger than the Atlantic.

Fiske, *Disc. of America*, I, 503–513.

Voyages, 1497–1498.

22. **The Cabots** were merchants of Bristol, England, at the time news was brought that Columbus had discovered land by sailing west. In 1496 John Cabot obtained from Henry VII a permit to sail westward. The permit was not used until the next year, and it was June 24, 1497, when the Cabots sighted land in the neighborhood of Newfoundland. Six weeks later they were back in England, where the king made a gift of £10 "to hym that founde the newe isle." In 1498 a much larger expedition set out. The coast from Labrador to Cape Cod was explored, and many persons believe that the Cabots continued on their southern course until the capes off North Carolina were reached. No attempt was made to follow up these voyages, John Cabot probably having died and his son Sebastian having entered the service of Spain. But several generations later, when England desired to establish a legal claim to the eastern part of North America, these voyages of discovery were deemed of the first importance.

Am. History Leaflets, No. 9.

Channing, *United States*, I, 33–37.

Bourne, *Spain in America*, 54–61.

Old South Leaflets, No. 37.

23. Vespucius and the Naming of America. — Americus Vespucius, or Amerigo Vespucci, like Columbus and the Cabots, was an Italian. In 1504 he wrote a letter telling about "Four voyages" that he claimed to have made to the new world while in the employ of Spain. He reported that on the earliest of these (in 1497) he had discovered South America and that on his later voyages he had explored the coast of that region. Many modern investigators consider the claims of Vespucius ridiculous, but it is certain that they were believed by at least some of his contemporaries.

Voyages of Vespucius.

AMERICA, 1515
(From Schöner's Globe)

Bourne, *Spain in America*, 84–96.

Old South Leaflets, Nos. 34, 50.

Among these was Martin Waldseemüller, a professor of geography at the college of Saint-Die in Lorraine. In 1507 Waldseemüller published a pamphlet entitled *Cosmographie Introductio*, in which he suggested that the land in the southwest, which did not correspond to any islands on the maps existing before 1492, and which for several years had been known as Mondo Novo, should be called "America." This name became quite common on maps of the time before it was learned that this southern region formed a continent connected with lands discovered by the Cabots and others at the North. When this connection was understood, the name America was applied naturally to the whole of the new world.

First use of name America.

Bourne, *Spain in America*, 99–103.

Winsor (ed.), *America*, II, 145–152.

AMERICA, 1541
(From Mercator's Map)

Discovery of the Pacific, 1513.

Channing, *United States*, I, 47–51.

24. The Pacific Ocean. — Little was known yet about this new world, but in the decade beginning with 1513 geographical knowledge of the uncivilized hemisphere was extended greatly. It was in the year 1513 that Balboa, an adventurer and a rebel, in search of gold, crossed the Isthmus of Panama and first beheld the waters of the Pacific, which he called the "South Sea," because the shore line runs east and west at this point.

Magellan, voyage around the globe.

Channing, *United States*, I, 50–54.

Six years later Fernando Magalhaens or Magellan, a Portuguese nobleman in the employ of Spain, started with five vessels to find a southwest passage through South America to the Indies. In this he succeeded, the strait which he discovered now bearing his name. With but two vessels he proceeded north a long distance, then changed his course to the northwest, and finally to the west, in order not to pass the Molucca or Spice Islands, of which he was in search and whose latitude he knew. After weeks on the quiet ocean, which he named the Pacific, he reached what is probably the Island of Guam, and soon after landed on the Philippines. Here Magellan lost his life, April 27, 1521. The larger vessel was soon after captured by the Portuguese, but the smaller succeeded in reaching Spain after circumnavigating the globe — certainly one of the most marvelous voyages in history, and one which caused remarkable changes in the geographical ideas of the times.

Explorations in the United States (1513–1543)

Ponce de Leon (1513–1521).

Bourne, *Spain in America*, 133–136.
Winsor (ed.), *America*, II, 232–236.

25. Florida (1513–1536). — For thirty years the Spanish made repeated efforts to explore the southern part of the United States, rumors of gold constantly leading them into the interior. The first to show the way to Florida, a name applied for at least a century to the entire southeastern part of the United States, was Ponce de Leon, who was attracted by the reports of an excellent climate and prospects of wealth. In 1513 he explored both the east and the west coast of the peninsula and in 1521 attempted a settlement which failed because of the hostility of the Indians.

In 1526 a much more pretentious settlement was attempted by d'Ayllon. Over five hundred persons, including some slaves, were taken to Chesapeake Bay, but the climate was so unhealthy that they lost their leader and more than one-half of their men within a year, and the enterprise was abandoned.

Ayllon's settlement (1526).

Winsor (ed.), *America*, II, 238–241.

The next to search for wealth in Florida was de Narvaez, who landed near Tampa Bay in 1528. The last survivors of this ill-fated expedition were wrecked some months later on the coast of Texas, where they were held as prisoners for several years. Under the lead of Cabeza de Vaca, who had been employed as a "medicine man," four of them escaped and crossed the plains and mountains to the Spanish settlements on the Gulf of California, bringing with them rumors of large quantities of gems and precious metals to the north of the countries they had traversed and arousing renewed interest in the exploration of the interior.

Narvaez and Cabeza de Vaca.

Channing, *United States*, I, 62–67.
Winsor (ed.), *America*, I, 240–244.
Old South Leaflets, II, No. 39.

26. The Southwest (1539–1543). — To ascertain the truth of the reports that the "Seven Cities of Cibola" were possessed of great wealth, Fray Marcos was sent "to spy out the land." He failed to reach the cities, but brought back stories more wonderful than any that had yet been told. In a short time, Coronado at the head of three hundred Spaniards, many of them mounted, and nearly a thousand Indians, set out for Cibola (1540). The cities proved to be nothing but the unattractive dwellings of Pueblos, but there was said to be a great deal of gold farther north and east. A force was dispatched to investigate a great cañon to the west, — that of the Colorado, — and Coronado's little army then pushed on across the plateau and plains until Quivera was reached, probably in the present state of Kansas. They found immense herds of bison and trackless wastes, but no gold. In disappointment the Spaniards returned to Mexico.

Coronado's expedition (1540–1542).

Hart, *Contemporaries*, I, No. 24.
Channing, *United States*, I, 74–84.
Bourne, *Spain in America*, 169–174.
Amer. Hist. Leaflets, No. 13.

Among the many explorers who at this time were interested in the country north of the Spanish settlements was Cabrillo. Setting out in 1542 with two vessels, he and his

Coast of California.

Hittell, *California*, I, 73–78.

successor Ferrelo examined the western coast beyond Cape Mendocino with considerable care. Nothing came of this or of the other explorations in the West, and it was a half century before any permanent Spanish missions were established within the United States, and a still longer time before the region proved attractive to less unselfish settlers.

Explorations in the southeast (1539–1543).

Hart, *Contemporaries*, I, No. 23.

Channing, *United States*, I, 67–72.

Bourne, *Spain in America*, 162–168.

Winsor (ed.), *America*, II, 244–254.

27. De Soto. — The last, and in some respects the greatest, of these early Spanish explorers in the United States was Fernando de Soto. Having served under the Pizarros when they conquered the country of the Incas, he was anxious to gain for himself fame and fortune in Florida, as Cortez had done in Mexico and the Pizarros in Peru. With a well-equipped force of nearly six hundred men and many horses, he landed at Tampa Bay during the summer of 1539. The Indians were treated with severity, the chief of each tribe visited being seized and held as hostage until provisions were forthcoming and his country had been crossed. For two years the Spaniards continued their search through the inhospitable country without discovering traces of the wealth they sought and at length crossed the Mississippi. After further wanderings, broken and discouraged, Soto returned to the river to die (May, 1542). Nowhere had he found gold or signs of gold, and everywhere the Indians were fierce and hostile. Glad to escape from this land of dangers, the survivors of Soto's party, after several attempts, succeeded in getting out of the Mississippi and reached the Mexican coast settlements.

Verrazano's voyage (1524).

Bourne, *Spain in America*, 143–145.

Winsor (ed.), *America*, IV, 5–9.

28. Verrazano and Cartier. — Although far behind the Spanish in a desire to explore and colonize, the French were not entirely inactive. In 1524 the French sent out Verrazano, an Italian like many of the other navigators of that day, who visited the eastern coast of North America and explored from the capes of North Carolina to Newfoundland, probably entering New York harbor.

Cartier's explorations and settlements (1634–1641).

Ten years later Cartier explored the Gulf of St. Lawrence, returning in 1635 and ascending the river. He penetrated as far as the large island just below the first series of rapids.

To the height on this island he gave the name Mont Real.[1] No attempt was made to found a colony at this time, but in 1540–1541, he and an associate, Roberval, sought to settle on the banks of the St. Lawrence. Roberval failed to aid Cartier until the latter had abandoned his settlement, and the French hold on America after this time was represented by a few fishermen's huts on the Atlantic coast.

Hart, *Contemporaries*, I, No. 35.

Winsor (ed.), *America*, IV, 47–55.

The Close of the Sixteenth Century

29. The Situation in Europe. — During the early part of the sixteenth century Spain had risen to the position of the first European power. Her king was ruler not only of the Spanish peninsula, but of the Netherlands, the Sicilies, and a large part of America. As he was in addition emperor of Germany, the rule of Charles V was in consequence one of unusual splendor. The immense riches of Mexico and Peru added greatly to this power of Spain, but could not continue to sustain it, for the successor of Charles, Philip II, followed an unwise policy which undermined the sources of national strength. Freedom of thought was crushed by the inquisition, the Netherlands were lost by an unwise religious policy, while the Jews and Moors, the industrial backbone of the nation, were driven from Spain. The decline of Spanish power became evident in the latter half of the sixteenth century, and, after the defeat of the Armada in 1588, was rapid and continuous.

Spain.

Schwill, *Modern Europe*, 59–67.

France was in no position during these years to accomplish much at home or abroad. Torn with the strife between the Catholics and the Huguenots, governed nominally by the worthless sons of Henry II and ruled really by the faction which was temporarily in the ascendant, she followed no fixed policy until the accession of the able Henry IV in 1589.

France.

Robinson, *Western Europe*, 451–458.

England meanwhile under Elizabeth was quietly developing her resources and settling her religious differences. As yet neither an industrial nor a commercial nation, and,

England.

[1] Mount Royal.

Robinson, *Western Europe*, 458–463.

as an international power, inferior to Spain and France, she gave encouragement to the seamen of the southern coast who engaged in trade with the Spanish colonies, and aided merchants who desired to form an East India company to trade with the far East. Elizabeth in fact permitted Sir Francis Drake and others to capture Spanish merchantmen and treasure ships in time of peace, thus developing that irregular navy which in 1588 harassed and in the end destroyed the unwieldy Spanish Armada. With Spain's navy crippled, the Dutch seized upon the greater part of the carrying trade of Europe.

Port Royal (1562).

Channing, *United States*, I, 94–96.

30. **The French in Florida** (1562–1565). — Under the auspices of the great Protestant leader, Gasper de Coligny, two settlements were attempted in the southern part of the United States in the land named Florida and claimed by the Spanish. The first of these was made in 1562 by Jean Ribaut at Port Royal, a little north of the Savannah River, but the next year the colonists constructed a ship, abandoned the colony, and reached Europe after a terrible voyage.

Fort Caroline. Menendez.

Channing, *United States*, I, 96–100.

Hart, *Contemporaries*, I, No. 36.

Fiske, *Disc. of America*, II, 512–521.

Bourne, *Spain in America*, 176–189.

In 1564 a second settlement was started by Laudonniere on the river of May, now called the St. Johns, where they built a fort named Caroline in honor of their king, Charles IX. Most of the settlers were men of broken fortunes and adventurers. Untrained to labor and desiring only gold, they quarreled with one another and with the Indians, some of them at length turning pirates and betraying to the Spanish the presence of the little colony, Meanwhile the settlers prepared to abandon the colony, but before they were ready to sail, two fleets arrived off the coast of Florida: the first, French, under Ribaut bringing relief; the second, Spanish, under Menendez, threatening destruction. Before Menendez, a man of great vigor and earnestness, heard of the French colony, he had been expecting to secure a grant of Florida and colonize that region. When he learned of the Protestant settlement, he applied to Philip II who helped him fit a great expedition for what they considered a crusade. Finding the French fort and fleet too strong to attack, he disem-

barked his men and constructed a fort which he named St. Augustine (1565). The elements now favored him, for Ribaut's fleet was scattered and his ships wrecked by a great storm. Menendez immediately marched overland through the swamps, attacked Fort Caroline, which was practically unprotected, and put the inhabitants to the sword. Three different parties from Ribaut's fleet who had been wrecked on the coast south of St. Augustine were obliged to throw themselves on Menendez's mercy. Most of them were foully slain. This ended the settlements of the French in the southern part of North America, for King Charles of France was not fond of the Huguenots and was completely under the domination of Philip, but it did not close the warfare between the French and the Spaniards, for two years later de Gourgues destroyed the Spanish forts in Florida and hanged the defenders.

Hawkins and Drake.

31. The English in the New World (1562–1583). — Numerous Englishmen were interested in the new world because of its commercial possibilities. The earliest of these, Sir John Hawkins, engaged in the slave trade with the Spanish West Indies. On the third of these voyages his ships were attacked, treacherously he thought, by Spanish officials. With him on this trip was his cousin, Sir Francis Drake, who from this time devoted his life to the injury of Spain. With the consent of Elizabeth, Drake raided the Spanish main and in 1577 sailed into the Pacific Ocean, where he captured treasure ships on the way from Peru to Panama. Continuing northward until turned back by the cold, he returned to a harbor near San Francisco bay, where he refitted his vessel. The western part of the continent he named New Albion, claiming it for England. Returning to England *via* the East Indies and Africa, he brought back reports which aroused new interest in finding a northwest passage to the East.

Channing, *United States*, I, 115–122.

Fiske, *Old Virginia*, I, 15–28.

Hart, *Contemporaries*, I, Nos. 29, 30.

The northwest passage.

Frobisher had already (1576) searched for a northwest passage and Davis made three voyages (1585–1587) for the same purpose. The most earnest advocate of settlement in northern America and of search for a way to Cathay was Sir

Woodward, *British Empire*, 39–49.

Humphrey Gilbert, who tried to form a colony on Newfoundland in 1583. The attempt was abandoned and on the return voyage Gilbert's vessel foundered.

The first colony (1585).

Channing, *United States*, I, 124–128.

32. The Ralegh Colonies (1584–1590). — The next year Sir Walter Ralegh dispatched to America Captains Amadas and Barlow, with instructions to investigate and report the possibilities of colonization. So glowing was their report that Queen Elizabeth named the country Virginia in her own honor. The succeeding spring (1585) seven vessels set sail carrying over one hundred settlers, whose leader was Ralph Lane. They landed at Roanoke Island, off the coast of what is now North Carolina, but before the ships returned to England the commander of the fleet maltreated the natives, thus alienating tribes whose friendship would have been of the greatest value. As the colonists would not work, and could obtain no food from the now hostile Indians, they gladly took advantage of the arrival of Sir Francis Drake and returned to England.

SIR WALTER RALEGH

Fiske, *Old Virginia*, I, 30–33.

The "lost colony" (1587–1590).

Ralegh's devotion to his pet scheme led him to form a company which in 1587 sent out a new expedition carrying women as well as men. Their destination was Chesapeake Bay, but they repaired first to Roanoke, where they decided to remain. Governor White of this "City of Ralegh," as the colony was called, returned to England for help later in the summer, but the ships sent out with supplies were used to prey upon Spanish commerce, with disastrous results. Then came the Armada (1588) which called forth the naval strength of England. Another year was frittered away by the men to whom Ralegh, now impoverished,

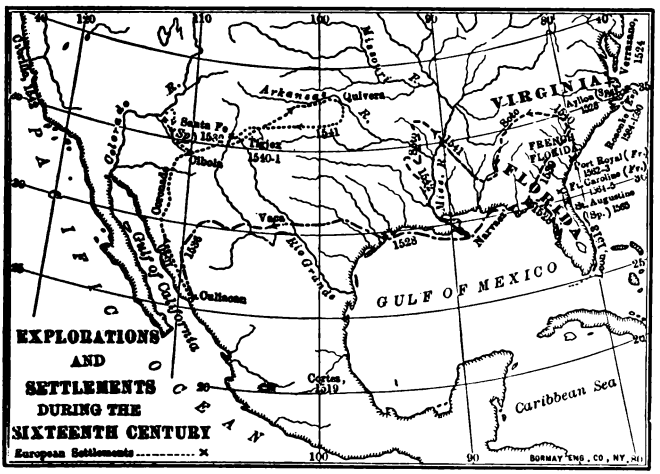
Fiske, *Old Virginia*, I, 35–39.

Channing, *United States*, I, 128–133.

assigned his Virginia patent, and when in 1590 assistance arrived, no trace could be found of the "lost colony." Thus inauspiciously did the English begin the colonization of the new world.

Discovery and exploration.

33. **The Results of the First Century.** — In the century following the discovery of America by Columbus the advance in geographical knowledge had been enormous. The shape of the earth had been proved beyond dispute and its size quite accurately ascertained. There was no longer a sea of darkness, but two immense oceans had been crossed; in the case of the Atlantic, repeatedly. A new continent had been brought to light, of which to be sure little was known except the shore lines. Almost every part of the eastern Atlantic



coast had been explored by Europeans and the western coast nearly as far north as the Oregon River had been examined. The interior of the North American continent had been visited by but two leaders — Coronado and Soto — and the heart of the continent was little better known in 1600 than a half century earlier. Search had been stimulated, however, because of a desire to find a water passage

from the Atlantic to the Pacific which would make it possible to sail from Europe west to Asia without going as far south as the Straits of Magellan. More than any other one cause, this desire led in the following century to the investigation of the waterways in the new world.

Attempted colonization.

South of the present limits of the United States, Portugal had established a colony and Spain had taken possession of several islands and many Indian countries. Within the United States the repeated attempts to form colonies had led to the establishment of but two permanent settlements — the insignificant Spanish fortifications at St. Augustine and the little frontier mission at Santa Fe. Considering the amount of money and effort expended, the results were discouraging indeed. In striking contrast to the limited territory occupied by Europeans at the close of the sixteenth century were the sweeping territorial claims of the rival nations. Spain asserted her right to a territory of continental extent. France claimed the northeastern coast and that part of the interior drained by the St. Lawrence River, and England asserted her right to the eastern part of North America, because of the Cabot discoveries, and to the western coast by virtue of Drake's exploration.

TOPICS

COLUMBUS'S EFFORTS TO GAIN HELP (1484–1492): Adams, "Columbus," pp. 34–73; Fiske, "Discovery of America," I, pp. 381–385, 395–419.

THE VOYAGES OF THE CABOTS: Winsor (ed.), "America," III, pp. 1–7; Fiske, "Discovery of America," II, pp. 1–16; Lee (ed.), "History of North America," I, pp. 297–309.

MAGELLAN'S VOYAGE AROUND THE WORLD: Bourne, "Spain in America," pp. 115–132; Winsor (ed.), "America," II, pp. 591–613; Fiske, "Discovery of America," II, 185–205.

STUDIES

1. The character of Columbus (criticisms). (Winsor, "Columbus," pp. 499–512.)

2. Origin of the name "America." (Fiske, "Discovery of America," II, pp. 129–155.)

3. Cortez in Mexico. (Fiske, "Discovery of America," II, pp. 245–293.)

4. The wanderings of Cabeza de Vaca. (Lummis, "Spanish Pioneers," pp. 101–116.)

5. Coronado's explorations. (Johnson, "Pioneer Spaniards," pp. 219–253.)

6. Spain's colonial policy. (Bourne, "Spain in America," pp. 202–219.)

7. Spain's American commercial policy. (Bourne, "Spain in America," pp. 282–298.)

8. Verrazano's voyage. ("Old South Leaflets," No. 17.)

9. Religious wars in France. (Duruy, "History of Modern Times," pp. 218–234.)

10. Destruction of the French colony in Florida (1565). (Parkman, "Struggle for a Continent," pp. 27–54.)

11. The English in the East (after 1580). (Woodward, "Expansion of the British Empire," pp. 69–85.)

12. Reasons for English colonization in America. (Hart (ed.), "Contemporaries," I, Nos. 44–46.)

QUESTIONS

1. What was the significance of the first voyage of Columbus?

2. How did the discoveries of Vespucius and Magellan affect the geographical ideas of the times?

3. What influences were most powerful in leading the Spanish to colonize? What were the chief characteristics of Spain's colonial policy? Was Spain a successful colonizing nation?

4. Why did Soto fail, while Cortez and Pizarro succeeded? Name several reasons why the Spanish failed to get a real foothold in the United States.

5. How do you account for the comparative inactivity of the French and English during the sixteenth century?

CHAPTER III

EARLY ENGLISH COLONIZATION (1600–1660)

English Rulers

Elizabeth (1558–1603)
James I (1603–1625)
Charles I (1625–1649)
Commonwealth (1649–1660)

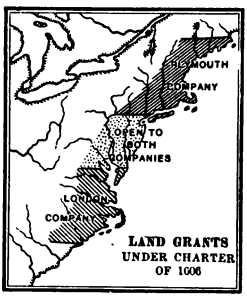
Virginia (1606–1625)

Virginia company and its sub-companies.

MacDonald, *Charters*, No. I.

Channing, *United States*, I, 157–163.

34. The Charter of 1606. — During the early years of the seventeenth century several voyages were made to the coast of Virginia by English seamen who brought back glowing reports of the country and its climate. As Ralegh had been imprisoned and his charter annulled by James I, a new company was organized in 1606 for the purpose of making settlements in Virginia. To certain members of this Virginia company, residing in London and usually called the London company, was granted the land lying between parallels 34 and 38. The territory from 41° north to 45° was granted to members living in Plymouth, the right to occupy the middle strip from 38° to 41° being shared by both sub-companies, provided that neither settled within one hundred miles of the other. The Virginia company was permitted to coin money and to defend its possessions, while its colonists were to have all the rights enjoyed by Englishmen.[1]



[1] There was to be a resident council for the government of each of the two colonies established, and the general direction of the Virginia company's affairs in England was entrusted to a council appointed by the king.

35. The Settlement at Jamestown. — In December, 1606, three vessels fitted out by the London company set sail for the new world with more than one hundred colonists. According to the custom of those days, they went by way of the Canaries and the West Indies and did not enter Chesapeake Bay until April, 1607. As a site for the new settlement, they desired a place not too near the coast which might be fortified easily against the Spaniards, who objected to English settlements on land which they claimed. A low peninsula half buried at high tide was selected, the name of Jamestown being given to the settlement, in honor of the king. Most of the settlers were "gentlemen" unused to hard labor, so that the work of constructing homes and planting crops progressed slowly. With summer came an epidemic of fever, and within four months half of the colonists had perished. The councilors who had been sent over to govern the people proved inefficient and quarreled with one another. Famine was averted by securing corn from the Indians and by supplies sent from England, but the communistic system, according to which all labored for the common store, did not encourage industry or thrift in a naturally shiftless set of men.

The first year (1607).

Eggleston, *Beginners of a Nation*, 25-31.

Channing, *United States*, I, 163-170.

CAPTAIN JOHN SMITH

Tyler, *England in America*, 41-54.
Hart, *Contemporaries*, I, Nos. 61-63.

The real leader of the party was John Smith. Although less than thirty years of age, Smith was a man of varied experiences and of considerable ability. Since coming to Virginia he had made friends with the Indians, and, in an open boat, had explored the shores of the Chesapeake Bay, making a map of the region which was remarkable for its accuracy. When he was elected president of the council,

Rule of John Smith.

Tyler, *England in America*, 55-60.

Eggleston, *Beginners*, 31–40.

he reduced the colony to order, made the rule that those who did not work should not eat, and prevented starvation by securing food from the Indians through his skill and boldness.

Charter of 1609.

Smith's rule came to an end when a new charter was granted which changed the method of government and extended the boundaries of the territory controlled by the London company. The new charter gave Virginia all the land for two hundred miles north and south of Point Comfort "up into the land, throughout from sea to sea, west and northwest." Because of the word "northwest" Virginia afterward claimed the Territory in the interior of the continent between the Ohio River and the Great Lakes (§ 90).

MacDonald, *Charters*, No. 2.

Commercial and social results.

36. The Influence of Tobacco Culture. — That Virginia survived its early difficulties was due in large part to the character of its first leaders, especially to John Smith and Governor Dale. Its real prosperity, however, begins with the cultivation and exportation of tobacco, for which the soil and climate of the colony were particularly adapted. Small crops of tobacco had been raised by the Indians before the white settlers came, but not until Dale had put an end to the communistic system were plantations started on which the raising of tobacco became a regular industry. King James was strongly opposed to the use of the "filthy weed," but the market for their productions was so good that the planters soon came to devote their energies almost exclusively to tobacco growing. Settlers of a better class were attracted to the colony by the possibility of large profits from a regular occupation, and the banks of the James River and the shores of Chesapeake Bay were soon lined with the homes of men engaged in raising tobacco. Later, inducements were offered to poorer people, who paid for their passage to the new world by several years of service on the plantations. A few negroes, first brought to Jamestown in 1619 in a Dutch man-of-war, were also employed at the more menial tasks. Gradually, as the plantations became larger and the field workers more numerous, the distinction

Coman, *Industrial Hist. of U.S.*, 55–57.

Channing, *United States*, I, 208–226.

between landowners and landless became more marked, the classes of society being almost as widely separated as in England.

37. The First Virginia Assembly (1619). — In the years immediately preceding 1619, the affairs of the London company in England and of the Virginia colonists in America did not go smoothly. James I tried to dominate the affairs of the company by dictating the laws that should be made and the officers that should be elected.[1] The members of the company objected naturally, for, by the charter of 1612, they had acquired the right to hold meetings in London, transact general business, and govern the colony in America. As the company had not proved a financial success, the majority of the stock in the London company had come into the hands of Puritans who were opposed to arbitrary government in England and in America. Since the governor of Virginia had aroused the wrath of the settlers by his unjust and tyrannical rule, the company, under the lead of Sir Edwin Sandys, decided that representatives of the people should meet with a new governor and his advisers and help them make the laws. Following his instructions, Governor Yeardley asked the freemen in each of eleven plantations, towns, or hundreds to elect two representatives, and on July 30, 1619, twenty-two burgesses met with the governor's councilors in the first legislature in America. Two years later the London company passed an ordinance providing for a regular government in Virginia consisting of a council, chosen by the English stockholders, which should assist the governor, and a general assembly composed of the councilors and of burgesses elected by the freemen. In this way the popular government established in 1619 by the English Puritans was made permanent.

Preliminary events.

Channing, *United States*, I, 196–199.

Tyler, *England in America*, 76–80.

Meeting of the assembly.

Hart, *Contemporaries*, I, No. 65.

38. Virginia becomes a Royal Province (1624). — The Puritan element in the London company not only advocated

End of the London company's rule.

[1] King James opposed the political discussions at the meetings of the London company and objected to the criticisms of the crown by members of the company.

Cooke, *Virginia*, 129–133.

constitutional government for their Virginia colony, but under their wise guidance hundreds of thrifty settlers were pursuaded to try their fortunes in the new world. The colony had a new lease of life, its prosperity far exceeding that of any previous time. Its success aroused the enmity of the Indians and in 1622 a terrible massacre occurred, from which Virginia recovered with surprising rapidity. But this uprising furnished the excuse desired by the king and other enemies of the company in England for the overthrow of the company. This was accomplished in 1624 on flimsy pretexts, and Virginia became a royal province. No change was made, however, in the character of its colonial government, as Charles I, who came to the throne in 1625, desired to win the favor of his American subjects, and was willing to have assemblies that would provide money for the royal treasury.

Hart, *Contemporaries*, I, Nos. 66, 67.

Tyler, *England in America*, 81–92.

New England before 1628

Plymouth company (1607).

39. The Plymouth Company and the Council for New England. — The settlements in the northern grant made to men of Plymouth in the charter of 1606 had not prospered like those of the South. During that terrible summer of 1607 when the fate of Jamestown was yet doubtful, over one hundred colonists landed at the mouth of the Kennebec, but the extreme cold of the winter and the death of Sir John Popham, the chief justice of England and the ruling member of the Plymouth company, led to the abandonment of the enterprise.

Tyler, *England in America*, 39–41.

Council for New England (1620).

Nothing further was attempted until in 1620 the company was reorganized [1] and obtained from King James a patent to the land lying between parallels 40° and 48° and extending from sea to sea, with a practical monopoly of the fisheries and fur trade. Various grants of land were made by the company to its members, but few settlements were made, even for purposes of trade, and the credit for establishing

MacDonald, *Charters*, No. 4.

[1] It was now called the Council for New England.

From a Dutch Map : AMERICA (1621)

the first homes in New England belongs to some Separatists, usually called the Pilgrims, who located at Plymouth.

Puritan policy.

40. The English Puritans. — To understand the early history of New England, a knowledge of conditions and events in England under the first two Stuarts is quite as essential as any information regarding the doings of the early settlers, for the colonization of New England was due directly to the contest which took place between the Puritans and the English kings, James I and his son Charles I. The Puritans comprised a large and ever growing class of the English people who believed that the Anglican church, which had been established by the Tudors in England at the time of the Reformation, retained too many of the old forms of the Roman Catholic church. They desired to purify the church of these "papist" forms and to introduce among the people a higher standard of living. But they stood for more than religious reform. They advocated any scheme or plan that would lead to social or political betterment. It would be incorrect to imagine that they formed a sect with well-defined views, for the word "Puritan" three hundred years ago had a meaning but little more definite than that of "reformer" in our own time. In religious matters alone there was a vast difference between the moderate Puritan who favored a simplification of the church service, but who was nevertheless very much attached to the church, and the radical Puritan who had severed his connection with the established church in England and was known as a "Separatist." Between these two extremes was the liberal Puritan, who desired to remain in the church but wished to introduce radical changes in the church service and to leave the control of all local ecclesiastical affairs, including the selection of a pastor, to the members of the congregation.

Eggleston, *Beginners*, 103–114.

Three classes of Puritans.

Puritan narrowness.

In spite of their desire for reform, the Puritans were often narrow and the importance that they attached to forms is amazing to a person of the twentieth century. Their desire to raise the low moral standard of their time made them go to the other extreme. Their opposition to amuse-

ments was so rabid that we are tempted to believe the statement that they objected to the cruel sport of bear baiting, less because it gave pain to the bear than because it afforded pleasure to the spectators. And yet, with all the narrowness which they so often showed, it may well be doubted whether any other political force has exerted as great an influence on America as that of the Puritans.

Eggleston, *Beginners*, 122–133.

41. **The Puritans and the English Monarchs.** — During the reign of Elizabeth, all of those who did not conform to the practices of the established church, frequently known as non-conformists, were treated with considerable severity. Since the monarch was the head of the church and of the state as well, those who refused to worship as the church prescribed were thought to be guilty of disobedience little less dangerous than treason. For this reason there was no religious toleration in England, and those who were unwilling to conform were punished.

Under Elizabeth.

Tyler, *England in America*, 153–155.

When the throne of England at the death of Elizabeth was left to James VI of Scotland, there was a general feeling among the Puritans that they might obtain some of the religious reforms that they desired, since the established church of Scotland was controlled by the Puritans. James disappointed the reformers very early in his reign, for in a religious conference held at Hampton Court (1604) he showed very clearly that he believed thoroughly in his divine right to rule both church and state. His experience with the Scotch church had not been especially pleasant and he took occasion to oppose the Puritan requests because they would lead to a church system like that of Scotland, "which agreeth as well with a monarchy as God with the devil." In conclusion he said of the Puritans, "I shall make them conform themselves, or I will harry them out of the land." This policy he followed with constantly increasing vigor, for the Puritan element was gaining in strength year by year. One of the earliest results of James's attitude was to drive from England many Separatist congregations which were no longer allowed to hold meetings, open or secret.

James I. and the Puritans.

Eggleston, *Beginners*, 159–163.

Channing, *United States*, I, 271–284.

Gardiner, *Puritan Revolution.*

In Holland (1608–1618).

Tyler, *England in America*, 155–161.

Hart, *Contemporaries*, I, Nos. 97–99.

Amer. Hist. Leaflets, No. 29.

42. The Pilgrim Migrations. — One of these Separatist churches had been organized in Nottinghamshire by William Brewster and John Robinson. Owing to the persecutions of James I, they fled in 1608 to Holland, the only country in Europe where religious differences were tolerated. Making Leyden their home, with many other refugees, they toiled for years without being able to earn more than a bare living. As the prospect was no brighter for the future, and their children were influenced by the easy-going Dutch ways, often intermarrying with the Dutch as they grew up, some of them came to the conclusion that their condition might be improved by emigrating to America. The Puritans were now in control of the Virginia company and from them these Separatists obtained liberal concessions and a grant of land in the northern part of Virginia. Lacking the money needed for so expensive a journey, they entered into an agreement with certain "merchant adventurers" of London by which all of the earnings of the colonist should remain joint property, and each adventurer who contributed ten pounds should, at the end of seven years, have an equal share with each colonist. After many difficulties, including the abandonment of one of their vessels which proved unseaworthy, the Pilgrims set sail in the *Mayflower* from Plymouth, September 6, 1620. Two months later they came in sight of Cape Cod, and after six weeks of search for a suitable place for a settlement landed December 21 at a harbor which they called New Plymouth.

Voyage to America (1620).

Mayflower compact.

MacDonald, *Charters*, No. 5.

43. Early History of New Plymouth. — Being far to the north of the territory under the jurisdiction of the Virginia company, the men of the party met in the cabin of the *Mayflower* and drew up a compact organizing themselves into a "civill body politick, for our [their] better ordering & preservation," and promising "all due submission and obedience" to the "just & equall lawes" which they should enact from time to time.

Dangers (1620–1623).

The first winter, although unusually mild for that section, brought terrible hardships and suffering. One half of the

colony perished, but the rest kept bravely at their work, being aided by a few others who came over from England or Holland. The Indians of the vicinity were friendly, a permanent peace being made with their chief, Massasoit, which lasted until his death forty years later. When the chief of the more distant Narragansetts tried to intimidate them by sending a bundle of arrows tied with a rattlesnake's skin, Governor Bradford returned the skin filled with powder and ball. Soon after the Indian uprising in Virginia (1622), a threatened plot was nipped in the bud by the valiant captain, Miles Standish. By this mixture of diplomacy and force, Plymouth became singularly free from difficulties with the red men.

Tyler, *England in America*, 161–167.

Even the honest, hard-working Pilgrims could not make a success of communism, and in 1624 an acre was assigned to each person as his separate property. Where previously there had been continual danger of famine, now crops were abundant and a surplus remained for sale. Two years later money was borrowed from leading men of the colony, and the interests of the merchant adventurers were purchased for £1800.

End of communism.

Plymouth obtained a land grant from the Council of New England in 1630 and was allowed to govern itself unmolested. So few were its settlers that until 1638 there was an annual meeting of all the people of the colony, but after that year the example of Massachusetts was followed and a representative assembly was held every year. Plymouth grew slowly, and in 1691 was joined to Massachusetts (§ 77).

Government before 1691.

Tyler, *England in America*, 172–182.

Beginnings of Massachusetts Bay (1628–1636)

44. The Massachusetts Bay Company. — North of the colony of New Plymouth, a few pioneers began settlements during the years following 1620, making a precarious living usually in connection with the fisheries. One of these, composed of several earnest and religious men from Dorchester, had prospered for a time, only to be practically abandoned later. But this Dorchester venture had awak-

Organization and charter.

Fiske, *New England*, 92–97.

Eggleston, *Beginners*, 199–209.

ened the interest of certain Puritan leaders at home, who believed that America offered the best opportunity for the establishment of churches using the simple form of worship which was their ideal. With this in view they obtained (1628) from the Council for New England a patent to the land lying between boundaries three miles north of the Merrimac River and three miles south of the Charles, and extending from sea to sea. A year later King Charles reaffirmed this land grant in a royal charter which created the corporation known as "the Governor and Company of the Mattachusetts Bay in Newe England," with the right to admit new members and to govern its territory, provided that it did not make laws contrary to those of England. The officers were to consist of a governor, a deputy governor, and eighteen assistants, elected yearly by the members of the corporation. No place was designated for the meetings of these officers or of the "general courts" composed of all stockholders in the company, although all previous charters had such a provision. The omission was due probably to the desire of the incorporators to hold their meetings in either London or Dorchester, but there was nothing in the charter to prohibit the company from establishing its headquarters in America.

MacDonald, *Charters*, No. 8.

Quarrels over political and religious questions.

45. **King Charles and the Puritans.** — The desire of the Puritans to have a colony in America was due in large part to friction with the king, Charles I, who had succeeded his father in 1625. Charles was a thorough believer in his divine right to rule England, and was less cautious and more obstinate than his father. The Puritan element now controlled the house of commons and forced the king in the Petition of Right (1628) to grant their *political* demands, but they were unable to obtain any *religious* concessions. Charles desired a high church ritual with greater uniformity throughout the realm. The commons insisted that a simplified service should be used. The victory remained with Charles, for he had begun to make changes and dissolved parliament before the commons could do more than protest.

Robinson, *Western Europe*, 478–484.

Coman and Kendall, *England*, 296–306.

Charles then carried out his plans by enforcing through Archbishop Laud a ritual more elaborate than any used previously in the churches. But Charles's attempt to govern England without parliament (1629–1640) and in opposition to the wishes of a majority of his subjects, his extra-legal

A PURITAN *St. Gaudens*

levies of ship money (1635), and his attempt finally to force the English prayer book on the Scotch church (1637), although apparent evidence of his triumph over the Puritans, were in reality the chief causes of his final overthrow.

46. Character of the Massachusetts Bay Colony. — When the most prominent members of the Massachusetts Bay

The great migration (1630–1640).

Hart, *Contemporaries*, I, Nos. 105, 106.

Fiske, *New England*, 101–104, 137–146.

Eggleston, *Beginners*, 209–215.

Channing, *United States*, I, 325–335.

company left England in 1629, they decided to take the charter with them, intending to transact all their future business where no agent of the king might interrupt. The leading spirit in this movement was the new governor, John Winthrop, a man of exceptional scholarship and very noble character. Winthrop and about one thousand others embarked for their new home during the year 1630, the first of the eleven years of the "great Puritan migration," for during the time that Charles attempted to govern England without parliament, nearly twenty thousand men, women, and children were transported to the shores of New England. They did not come for religious freedom but with the idea of establishing churches in which they might worship in the way which they preferred.

The colony acquires the company's charter.

Channing, *United States*, I, 340–342.

The transfer of the charter, in itself a most remarkable event, was the beginning of political changes even more noteworthy. All church members in the colony were admitted as members of the company. In this way the colony became identified with the company and gained all of the rights that the company had possessed, so that it now had the power, protected by the charter, to govern itself. This change was in fact completed before the king discovered that the charter of the company had been taken from England.

Contest between the officials and the people.

Tyler, *England in America*, 201–204.

Channing, *United States*, I, 342–351.

Hart, *Contemporaries*, I, No. 107.

47. Political Problems and Dangers. — Some of the leaders of the Massachusetts Bay company wished to make all of the laws and do all of the governing. They persuaded the people to keep them in office without holding elections yearly as the charter directed. The people submitted until the officials began to levy a special tax for a stockade at the most exposed settlement. Then they insisted upon annual elections and the right of every member of the colony to attend the annual meeting and help make the laws. As it was found impossible for the men from distant settlements to leave their homes for this annual meeting, they began in 1634 to send representatives who helped the governor's assistants to make the laws. In 1644 a dispute over a stray

pig led to the separation of the assistants and the representatives, thus organizing the first bicameral legislature in America. The democratic faction protested against the powers which the officials still exercised by interpreting as they pleased the laws which were unwritten. The people demanded a bill of rights and a written code. In 1641 the officials yielded and passed a very complete and very liberal code of laws known as the Massachusetts Body of Liberties.

MacDonald, *Charters*, No. 17.

The Massachusetts Bay company treated its neighbors so arbitrarily that some of them complained to the king. King Charles realized that the colony was governing itself in opposition to his wishes, so that steps were taken to revoke the charter. Preparations were made to defend the colony against attack, but the king was too busy carrying out his policy at home to give the matter his attention.

Attempt to revoke the charter.

Tyler, *England in America*, 204–209.

48. Religious Difficulties. — Quite as serious as the threatened attacks made by England were the dangers arising in Massachusetts from religious differences. Massachusetts was a distinctively Puritan commonwealth. The church was not only closely connected with the affairs of state, it was the foundation on which the political and social organization rested. Partly for this reason, partly because the Puritans were by nature intense, sincere, but narrow, and partly because every nation of that time except the Dutch loathed the idea of religious toleration, the government of Massachusetts exercised a very strict supervision of church affairs. Although themselves non-conformists with the established church in England, the Puritan emigrants followed toward the irregulars the policy of James I toward themselves. Those were banished who insisted on worshiping according to the rites of the Anglican church or in other non-Puritan ways.

Religious policy of the colony.

Tyler, *England in America*, 210–212.

The most famous of these early dissenters was Roger Williams, an able, large-hearted but eccentric clergyman. He wrote a pamphlet claiming that the king had no right to issue land patents, for all the land belonged to the Indians. Williams' crowning offence was the assertion that no magis-

Roger Williams.

Fiske, *New England*, 114–116.

Tyler, *England in America*, 212–218.

Channing, *United States*, I, 362–368.

trate should exercise any control in religious matters, such as enforcing Sunday laws or requiring an unconverted person to take an oath, which he considered a religious act, but that affairs of state should be separated from those of the church.[1] He was tried (1635) and ordered to leave for England, but was permitted to make his way south, where he founded Providence (1636).

Anne Hutchinson.

Fiske, *New England*, 116–119.

Eggleston, *Beginners*, 329–339.

Williams had exercised great influence, but had no large personal following, as was the case with Mrs. Anne Hutchinson whose teachings in 1636 threatened to disrupt Massachusetts. The entire population of Boston was divided into two hostile parties favorable or unfavorable to Mrs. Hutchinson. The opponents of Mrs. Hutchinson finally triumphed and that lady with her followers was banished (1637). Some went north to New Hampshire, but the larger number settled on Rhode Island in Narragansett Bay.

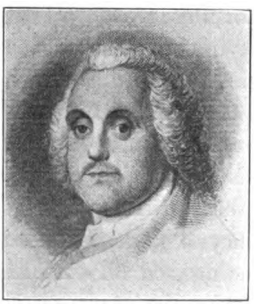
Expansion in New England (1635–1645)

Religious policy.

49. Providence Plantations and Rhode Island. — Settled by persons who had been driven from Massachusetts because of their religious views, Providence and the Rhode Island towns were drawn together by bonds of sympathy, but remained politically separate until in 1644 Roger Williams obtained from a parliamentary commission a semi-charter by which the towns around Narragansett Bay were united and authorized to govern themselves. The policy of Providence from the beginning and of the united towns after 1644 was one of perfect religious liberty. Liberal Puritans were welcomed, but freedom of thought was per-

Channing, *United States*, I, 393–398.

Hart, *Contemporaries*, I, No. 115.



Roger Williams

[1] When supplying the pulpit at Salem, his extreme views gave offense. He was held responsible when one of his supporters, John Endicott, cut out from the British flag one arm of the cross which

mitted to Catholics, Jews, Quakers, and atheists as well. Williams insisted that a man should be protected by the government without regard to his religious views. Through his influence Rhode Island became the first community in the modern world where there was perfect religious liberty. Yet the earliest results of this policy were somewhat disastrous. Not only those with real depth of religious feeling made Rhode Island their home, but many whose views on all subjects were unusual.

The colony grew but slowly, making up in the eccentricity of its people what it lacked in numbers. As the first semi-charter had been issued irregularly and did not define the territorial limits of the colony, Charles II was persuaded in 1663 to grant a charter which gave the people complete powers of self-government, subject to the one limitation that the laws conform as near as might be to the laws of England. Perfect religious freedom was permitted, so that no change was made in the policy of the colony.

Charter of 1663.

MacDonald, *Charters*, No. 27.

50. **The Connecticut Valley.** — We have already noticed (§ 47) the antagonism existing in Massachusetts between those who favored an aristocratic government and those whose ideal was democratic. Although certain concessions were made to the liberals, seve al of the towns were still dissatisfied, as they desired to abolish the religious qualifications for voting. Another cause of discontent existed in the sterility of the soil, which they had found unsuitable for agriculture. Learning of the fertile Connecticut valley in the west, several hundred people set out in 1636. The Dutch had already built (1633) within the present limits of Hartford a fort which they did not abandon for several years. The mouth of the river was seized by the English, who erected a fort, from which the Dutch made a half-hearted attempt to drive them. Their real foes were not the Dutch but the Pequod Indians, who ruled the territory

Settlement, Dutch and Indians.

Channing *United States*, I, 398–404.

Fiske, *New England*, 123–133.

Eggleston, *Beginners*, 316–324.

Endicott declared was a symbol of popery. This act the magistrates felt might be construed in England as an insult, and they forced from Endicott an apology.

from the Hudson to Narragansett Bay with severity. Difficulties arose almost at the start, and were increased by savage actions on both sides. In 1637 the people resolved to put an end to these outrages. One of the Pequod camps west of Narragansett Bay was attacked by less than a hundred men under Mason and Underwood. The attack was a complete surprise, the wigwams were set on fire, and several hundred Indians slain. The remaining Pequods were relentlessly hunted out of the country, and for many years there was peace and prosperity.

Constitution of 1639.

Channing, *United States*, I, 404–407.

MacDonald, *Charters*, No. 14.

Johnston, *Connecticut*, 59–64, 75–79.

As the people of Connecticut were outside the jurisdiction of Massachusetts and unwilling to have that colony extend its authority over them, they met and drew up a set of fundamental laws for their government (1639). The constitution which was adopted in 1639 established a government similar to that of Massachusetts, with a governor, magistrates, and deputies, who looked after common interests. Unlike Massachusetts, Connecticut did not restrict the privilege of voting to those who were church members, and she left with the towns a much more complete degree of self-government than had been enjoyed in the parent colony. This set of laws, remarkable for its democratic character, is still more remarkable because it is the first written constitution compiled by a people for their own government.

Connecticut charter (1662).

MacDonald, *Charters*, No. 24.

Johnston, *Connecticut*, 167–173.

This very liberal political system was recognized and continued in the charter which Connecticut obtained from Charles II in 1662. The new colony, however, included not only the Connecticut valley settlements, but New Haven as well, and extended from the Pawtucket River to the Pacific. Under this charter, slightly modified when Connecticut became a state in 1776, the people lived until 1818.

Theocratic character.

51. **New Haven.** — Strangely enough the later colony and state of Connecticut was composed of two quite different elements: the Connecticut valley settlements, the most liberal, and the New Haven settlements, the most conservative, of those made by the New England Puritans. The

founders of New Haven desired to establish a town ruled according to Scripture, which to them meant the Mosaic code. Other towns were founded by their friends, and in 1643 these were united in much the same way as those of Connecticut under the constitution of 1639. In New Haven only church members might vote, and the general court enacted rather searching laws regulating religious and other matters. These were caricatured soon after the Revolutionary War by a loyalist, Peters, whose book on the "Blue Laws of Connecticut" was supposed for many years to be historically correct.

Fiske, *New England*, 134–137.

Tyler, *England in America*, 260–264.

Channing, *United States*, I, 407–411.

52. Northern New England. — A number of attempts had been made to colonize the coast north of Massachusetts. Several grants of land were issued by the Council for New England, notably that to Mason and Gorges. In 1629 these men divided their territory, Mason taking that between the Merrimac and the Piscataqua, to which he now gave the name New Hampshire, and Gorges that from the Piscataqua to the Kennebec, a district known as Maine. Large sums were spent by both, but their settlements were little more than fishing hamlets. At the beginning of the Civil War in England, Massachusetts annexed the New Hampshire towns on the ground that her charter of 1629 gave her all territory east as well as west from a point three miles north of the source of the Merrimac River, but the towns were allowed to govern themselves and to send representatives to the general court of Massachusetts until in 1679 New Hampshire became a royal province. During the Commonwealth Massachusetts extended her jurisdiction over most of the towns in Maine also, and although obliged by a commission from England (1665) to relinquish her control temporarily, she reasserted her authority until Maine was purchased from the Gorges heirs by Massachusetts (1678). The territory east of the Kennebec River was granted to several court favorites, but was practically unoccupied because of the opposition of the French.

Settlement. Relations with Massachusetts.

Tyler, *England in America*, 266–276, 279–281.

53. The New England Confederation (1643). — Between

Origin.

several of these New England colonies there was a pronounced unity of feeling. Though representing different types of Puritan sentiment, the ideals in Massachusetts Bay, New Plymouth, Connecticut, and New Haven were much the same. Some of these colonies had acted together in more than one undertaking, but no formal union had been considered wise, perhaps for the reason that it would have made supervision by the royal government so much easier. In 1643, the Civil War in England removed this obstacle and these four little Puritan communities united to form the New England Confederation, chiefly for the purpose of better defense against the Dutch, the French, and the Indians. Maine, a settlement alien in its origin and customs, was not admitted, nor was heretical Rhode Island, which wished to join the league, its lack of stable government being assigned as the excuse for refusal.

Fiske, *New England*, 155–158.

Government.

The Confederation carefully avoided interference with the local government of each of its members. Two commissioners were selected by each colony for the transaction of league matters. Any six of these had power to determine questions of peace or war, deciding how many men each colony was able to contribute for purposes of defense. Intercolonial disputes were to be settled by the commissioners. A sort of intercolonial citizenship was established and servants or criminals escaping from one colony to another

Fiske, *New England*, 158–161.

Channing, *United States*, I, 415–420.

were to be surrendered. The authority of the commissioners was more apparent than real, but the Confederation was of great value in dealing with both the Dutch and the Indians. The injustice done to Massachusetts, which was larger than the other three together, and the desire of that colony to manage the affairs of the Confederation, caused its decline, but it remained in existence until 1684.

MacDonald, *Charters*, No. 19.

MARYLAND

54. The Charter of Maryland (1632). — While the Puritan emigration to New England was taking place, a colony of a new type was being founded in the region north of Virginia. The land was granted and the power to govern the colony assigned to a *proprietor*, who controlled the affairs of the colony in accordance with a charter given to him by the king. This proprietary form of government, although modified in many ways, was the one used after this time in the establishment of new English colonies in America.

A proprietary colony.

The founding of Maryland was due to the personal ambition of George Calvert, Lord Baltimore, an enterprising Catholic nobleman who had long enjoyed royal favor. He was anxious to establish in the new world a place of refuge for Catholics and to build up for his family a semi-feudal estate. Before his conversion to the faith of Rome, he had started a settlement on Newfoundland, which was soon abandoned. He next tried Virginia, but the governors of the colony would have none of him. He then obtained from the king a charter which gave him title to the land from the Potomac to the fortieth parallel and from Delaware Bay to the meridian passing through the head waters of the Potomac. Over this domain he was to exercise almost regal powers, sending to the king two arrows yearly as a recognition of royal suzerainty. He was free from taxation by the authorities at home, which were not allowed to interfere in other ways with his government. With the consent of the freemen, he might make the laws, which should not be contrary to those of England.

Calvert and his charter.

MacDonald, *Charters*, No. 12.

Fiske, *Old Virginia*, I, 255–256, 261–274.

Eggleston, *Beginners*, 221–236.

Contest over the right to propose laws.

Channing, *United States*, I, 265–267.

Browne, *Maryland*, 35–37, 41–47.

55. The Proprietor and the Freeman. — Interest in the early history of Maryland centers around two things, the religious conditions and the development of democratic institutions. George Calvert died before the charter was granted and his work was undertaken by his eldest son, Cecil, who remained in England and exercised his functions as proprietor through a resident governor. Being at such a distance, he was unable to meet with the freemen for the purpose of making laws, and the earliest laws which he proposed for the colony were rejected by the first assembly of freemen (1635), who claimed that they had the right to propose laws. This claim was not accepted by the proprietor, who in turn rejected the laws suggested by the freemen. Matters remained in this chaotic state for four years, each side refusing to yield, but in 1639 Baltimore gave his consent to a very full and cumbersome code of laws enacted by the assembly, at the same time instructing his governor to claim the power of veto only. Calvert could well afford this concession, because his authority over the colony was very great, and the legislature was composed of councilors selected by himself as well as the freemen who represented the people or were summoned to the assembly by the proprietor. The later history of the colony is largely concerned with the attempt on the part of the freemen and of the proprietor to extend their legislative influence at the expense of the other.

Religious classes. Law of 1649.

MacDonald, *Charters*, No. 21.

Eggleston, *Beginners*, 242, 250–257.

56. Religious Toleration. — From the first the majority of the settlers in Maryland were Puritans, the proportion increasing with great rapidity during the closing years of the Civil War in England, especially when Virginia in 1648 drove many Puritans from its borders. As the proprietor could not establish Catholicism as a state religion, and would not permit an established church of any other faith, there had been little interference on account of religious beliefs during the early history of Maryland. Foreseeing that the Catholic majority in the legislature could not be maintained on account of the Puritan immigration, Baltimore proposed

to the freemen a law giving religious toleration, and at the same time sent over a Protestant governor. The legislature rejected Baltimore's law because it denied to the proprietary the right of initiation, but the next year (1649) passed a somewhat similar law. This famous "Toleration Act" provided the death penalty for those who blasphemed or denied any person of the Trinity, but declared "that noe person or persons . . . professing to beleive in Jesus Christ, shall from henceforth bee any waies troubled, Molested or discountenanced for or in respect of his or her religion."

Extent and character of English settlements (1660).

57. Summary. — After a half century of successful colonization we find the English in possession of the Atlantic coast from the Kennebec nearly to the Hudson, and from the northern part of Chesapeake Bay to Cape Fear River. The intervening territory was occupied by the Dutch, who had lately conquered the tiny Swedish settlement on the Delaware. To the south, though separated by an extensive wilderness, were the Spanish, while but little closer neighbors on the north were the French. In 1660 the English settlers lived in eight distinct colonies, two of which, Massachusetts and Virginia, included more than one half of the total population. The emigration to the American provinces of England had been almost exclusively from the mother country, most of the settlers coming between the years 1619 and 1640, although a large number of cavaliers sought Virginia when the fortunes of Charles I declined. As the majority of these settlers were hard-working, courageous men and women whom the dangers of the forest could not daunt nor the hardships of the frontier discourage, the future of the colonies was assured. With increasing prosperity and continued expansion, the Dutch settlements would of necessity have become less endurable, and the first opportunity was therefore embraced to conquer them.

TOPICS

1. VIRGINIA UNDER THE COMMONWEALTH: Fiske, "Old Virginia," II, pp. 1–18: Doyle, "English Colonies," I, pp. 212–229; Bancroft, "United States."

2. THE PURITANS: Ellis, in Winsor, "America," III, pp. 219–244; Palfrey, "New England," I, pp. 101–132; Osgood, in *Political Science Quarterly*, VI (1891), pp. 1–28, 201–231; Borgeaud, "Democracy in America."

3. PILGRIM MIGRATIONS: Fiske, "New England," pp. 71–82; Eggleston, "Beginners of a Nation," pp. 165–177; Channing, "United States," I, pp. 293–307.

STUDIES

1. Agricultural difficulties and problems in early Virginia. (Bruce, "Economic History of Virginia," I, pp. 189–226.)

2. Smith in Virginia. ("American History Leaflets," No. 27.)

3. Virginia under Charles I. (Cooke, "Virginia," pp. 41–157.)

4. First weeks at Plymouth. (Bradford, "Plymouth Plantation.")

5. Early emigrants. (Hart (ed.), "Contemporaries," I, Nos. 55–58.)

6. Winthrop's account of Massachusetts. ("American History Leaflets," No. 31.)

7. Earliest New England code of laws. ("American History Leaflets," No. 25.)

8. Pequod War. (Doyle, "English Colonies," I, pp. 160–178.)

9. Roger Williams and his work. (Eggleston, "Beginners of a Nation," pp. 266–306.)

10. General character of the English colonies. (Mace, "Method in History," pp. 86–104.)

11. Charter land grants. ("American History Leaflets," No. 14.)

QUESTIONS

1. What was the significance of the settlement at Jamestown (1607)? of that at Plymouth (1620)? of that at Salem (1628)?

2. Compare the Virginia charters of 1608, 1609, and 1612 as to territory and government.

3. What influence did tobacco have upon (*a*) the growth of Virginia, (*b*) the social classes, (*c*) the establishment of the county systems of government, (*d*) the relations of Virginia to England (§ 36)?

4. Did the Puritans believe in religious toleration? How did the Puritan spirit show itself in the dealings of Massachusetts with Roger Williams and with England? Was their course justified?

5. In the contest between the aristocrats and the liberals in Massachusetts between 1630 and 1641, which gained the greater victories in determining the character (*a*) of the government, (*b*) of the suffrage, (*c*) of the code of laws?

6. Define the term "charter." Give the distinction between a charter and a constitution. In what respects was the constitution of Connecticut different from the Massachusetts charter of 1629?

CHAPTER IV

LATER ENGLISH COLONIZATION (1660–1700)

English Rulers

Charles II (1660–1685)	William III (1689–1702)
James II (1685–1688)	and Mary (1689–1694)

English colonial and commercial policy.

58. Commercial Situation of England about 1660. — The year 1660, during which the Stuarts were restored to their position as kings of England, marks the beginning of a new epoch from the standpoint of the colonies. This was due to a large extent to the interest taken by the able advisers of Charles II, Clarendon and Shaftesbury, in the expansion of the British domains, and the desire of those statesmen to bring the existing English colonies into closer and more satisfactory relations with the mother country. It was due in part also to the anxiety of England to compete with Holland, which had become the first commercial nation of Europe.[1] Cromwell had sought to injure Dutch commercial supremacy by securing a law (1651) which compelled all English merchants to import and export goods in English ships only. This had led to a war with Holland in which the advantage remained with the English.

Andrews, *Col. Self-Gov't.*, 5–13.

Early navigation acts.

This policy of British trade in British ships only was reaffirmed by the new Stuart government after the Restoration by the passage of the very important navigation act of 1660. Not only were England and the English possessions to allow only English or colonial vessels entrance to their ports, but certain articles produced in the colonies, including sugar

Andrews, *Col. Self-Gov't.*, 13–21.

[1] The Dutch had not only gained extensive possessions in America, with the control of most of the East India trade, but in 1650 they controlled nine tenths of the carrying trade of England and practically a monopoly of that of continental nations.

and tobacco, and known as "enumerated" goods, were to be shipped to England only. A few years later the colonies were required to purchase all goods from England direct, thus giving the English merchants a monopoly in selling to them. The undoubted purpose of these acts of trade was to destroy the commerce of the Dutch as far as possible, but they were made on the theory then in common use that colonies should aid the mother country by furnishing a market for her surplus products and by helping the home country to build up her industries. The ministers of Charles II probably desired to treat the colonies fairly, for colonial vessels were considered English ships and the colonies often obtained special commercial privileges. For example, Virginia tobacco had a monopoly of the English market, as tobacco growing was prohibited in England and the importation of tobacco from foreign countries was forbidden.

Purpose and results of the Navigation Acts.

Reorganization of colonies.

59. **England and the Colonies (1660–1685).** — During the quarter century following the Restoration, considerable progress was made in improving the colonial system of England. In 1660 there were only three regularly organized English colonies on the Atlantic coast. One of these, Virginia, was under the direct control of the crown; a second, Maryland, was governed by a proprietor whose relations to England were defined in a charter; the third, Massachusetts, was a self-governing charter colony which had in more than one way refused to acknowledge the supremacy of the English government. There were in addition settlements in Maine, New Plymouth, on Rhode Island, and at Providence, in Connecticut, and on the shores of Long Island Sound.[1] Soon after the Restoration, charters were granted (1662) to Connecticut, which now included New Haven, and (1663) to Rhode Island including Providence. Attempts were made also to bring Masachusetts into submission, ending in the revocation of her charter of 1629 in the year 1684.[2]

[1] New Hampshire was included in Massachusetts from 1641 to 1679.

[2] See §§ 73, 75.

Interest was shown in colonial expansion when Clarendon, Shaftesbury, and some associates prepared to settle the region south of Virginia (1663). In 1664 jealousy of the Dutch and desire to join the colonies of the North with those of the South led to the conquest of New Netherland. Six years later the enterprising Hudson Bay company was organized, and soon after 1680 the only unoccupied section of the coast north of the Savannah River was granted to William Penn. All of these changes were favorable to the increased authority of the home government, for these new colonies were directly controlled by members of the Stuart family or by court favorites.

Founding of new colonies.

New York (1609–1685)

60. The Founding of New Netherland. — The Dutch claim to the country between New England and Maryland was based on the explorations of Henry Hudson, followed by the subsequent occupation of the region by Dutch traders and by settlers sent out from Holland. Hudson was an Englishman in the employ of the Dutch East India company. While in search of a passage to the Pacific (1609) he sailed up the river which now bears his name until fresh water showed that it was not a channel connecting two oceans. He won the friendship of the Indians and within a few years a considerable fur trade was established with the Indians by the thrifty Dutch, but no attempt was made to settle the country until in 1621 the Dutch West India company was created. By the charter of this company the government of the territory around the Delaware and Hudson rivers, as well as the fur trade of that section, was placed entirely in its hands. But the company took no interest in colonization, preferring to devote its entire attention to the establishment of trading posts and the development of the fur trade.

Hudson. The India companies.

Channing, *United States*, I, 438–446.

Hart, *Contemporaries*, I, Nos. 150, 151, 153, 154.

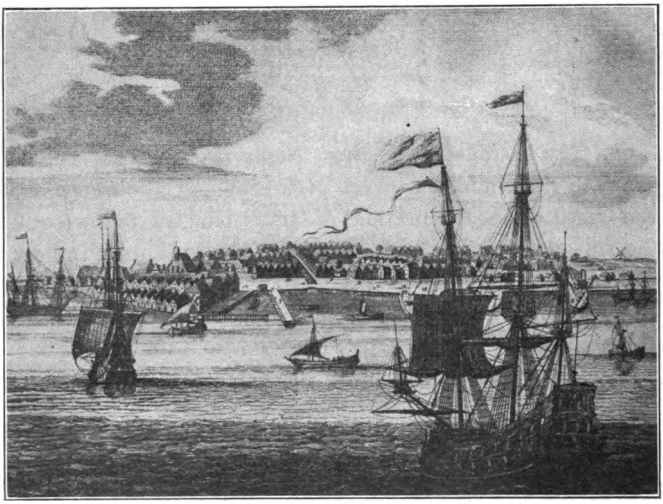
61. The Province of New Netherland. — In 1629 the West India company adopted a new policy and promised that any person who should send fifty adults to their American possessions should have lands fronting on either the Hudson

The patroon system.

Channing, *United States*, I, 446–449.

Fiske, *Dutch and Quaker Cols.*, I, 133–140.

or the Delaware, sixteen miles on one bank or eight miles on both and extending into the interior. This liberal domain the patroon, as he was called, was to rule as a feudal lord, with power to make laws and hold court for the trial of offenses. All corn was to be ground at his mill and no one should hunt or fish on his domain without his consent. This feudal system appealed to many wealthier members of the company and large landed estates were established along the Hudson. Of these the most extensive was that of the



NEW AMSTERDAM

Van Rensselaers, in which the custom of paying feudal rents persisted until the tenants rebelled about 1840 and gained the right to purchase their lands.

Dutch governors.

Channing, *United States*, I, 450–472.

Governors were sent out by the company to administer its affairs, which they did in a quite unsatisfactory manner. The early governors found it difficult to maintain the authority of the company against the patroons, who were practically independent within the limits of their patroonships. The people of the principal city, New Amsterdam, and in the rest of the colony protested also against the arbi-

trary rule of the governors, and demanded a share in the government. The last and the ablest of the Dutch governors, Stuyvesant, was forced to give New Amsterdam a more liberal government with nine men to advise him, but he made more promises than reforms, and to the last the rule of the Dutch was narrow and arbitrary.

Relations with the Indians.

62. New Netherland and its Neighbors. — The location of New Netherland between jealous and comparatively powerful English colonies and its proximity to the most powerful Indian tribe on the continent, the Iroquois, made its position one of no little difficulty. The Dutch avoided conflict with the Iroquois by preserving the friendship established with those Indians by Hudson. This afforded them protection from attack and benefited their trade in fur. Unwise treatment of the Indians near Manhattan Island, however, led to a disastrous war, in which most of the settlements near New Amsterdam were destroyed (1641–1643).

Channing, *United States*, I, 454–458.

Conquest of New Sweden (1655).

On the south the Dutch came into collision with the Swedes, who had made a few settlements on the shores of Delaware Bay. The Dutch claimed the land and warned the Swedes to leave, but no action was taken before 1648, partly because of the governors' indifference and partly because Sweden had aided Holland during the Thirty Years' War which closed that year. After the Peace of Westphalia made all the nations guarantee the independence of Holland, the new governor, Stuyvesant, proceeded against the Swedes and in 1655 New Sweden was brought under Dutch rule.

Channing, *United States*, I, 475–477.

English motives and early attempts.

63. Conquest of New Netherland (1664). — By the English the Dutch had been considered intruders from the beginning, because England laid claim to the entire coast on the basis of the Cabot voyages. Aside from the feeling against Holland that sprang from commercial rivalry, England desired to seize the Dutch possessions for several reasons. Dutch occupation of the region between the thriving provinces in New England and in the South was not pleasing to her, their extensive fur trade was an object of envy, and the

Andrews, *Col. Self-Gov't.* 74–78.

Hart, *Contemporaries*, I, No. 155.

Fiske, *Dutch and Quaker Cols.*, I, 248–269.

Dutch gave offense by helping the colonies to evade the navigation acts. Before 1650 the Dutch had been driven from the valley of the Connecticut by the settlers near Hartford (§ 50), and several English settlements on Long Island had restricted their territory in that direction. When war broke out between England and Holland during the Commonwealth, steps were taken toward conquering New Netherland, but peace was declared before the expedition was ready.

Conquest and reconquest.

Andrews, *Col. Self-Gov't*, 78-82, 89.

Fiske, *Dutch and Quaker Cols.*, I, 277–292.

A few years later, the English government decided to take the initiative against Holland by seizing her North American possessions. All of the territory from the Delaware to the Connecticut, and from the Kennebec to the St. Croix, was granted by the king to his brother James, the Duke of York. A fleet was dispatched to New Netherland under the command of four commissioners, who were also to bring Massachusetts to terms (§ 73). New Amsterdam surrendered at once because the citizens refused to fight, much to the disgust of the wrathy governor, Stuyvesant, and the rest of New Netherland surrendered without delay. Several years later, during another war between England and Holland, New Netherland was recaptured by the Dutch, but after a brief period was returned to the English by the Treaty of Westminster (1675).

The people and their government.

Andrews, *Col. Self-Gov't*, 82–100.

64. The English in New York (1664–1685). — A large percentage of the inhabitants of New Netherland in 1664 were English, so that the transition from Dutch to English rule was not difficult. A great many laws in force in New England were introduced, but most of the Dutch practices also were recognized. The local government was reorganized so as to give the people a slightly greater share in its work, but the Duke of York would not allow an assembly to be called. Many of the English settlers demanded a representative government, the Puritans on Long Island being particularly insistent, but no action was taken until 1684. In that year the first assembly of the colony distinguished itself by passing a charter of franchises and liberties

which provided for religious toleration, allowed all freeholders to vote, and permitted no taxation without the consent of the people's representatives. This charter was ratified by the Duke of York, but was rejected by him later when, on the death of Charles II, he became king of England with the title of James II. In the year 1684 also Governor Dongan negotiated with the Iroquois a treaty which gained for the English the friendship and help of those able warriors in the long contest with the French which began soon after.

The Quaker Colonies

The two Jerseys.

65. New Jersey and the Quakers. — Before the conquest of New Netherland, the Duke of York granted the territory between the Hudson and the Delaware to two of his favorites, Sir George Carteret and Sir John Berkeley. They were liberal to the colonists, and the inhabitants, many of whom were immigrants from New England, enjoyed a large degree of religious and political freedom, but they quarreled with the proprietors over the making of laws and the payment of land rents, and in 1674 Berkeley sold his share of New Jersey, the western half, to a Quaker who was probably acting for many others of his sect.

Andrews, *Col. Self-Gov't*, 101–111.

The Quakers. West Jersey.

The society of Friends, or Quakers, had been organized in England by George Fox just before the middle of the seventeenth century. The Quakers believed that a person should be guided chiefly by his conscience and not by the dictates of church or writings. For others as well as themselves they claimed the right of worshiping in the way they pleased, so that they were always in favor of religious toleration. They advocated the doctrine of the fellowship of man and carried their belief in equality so far that they refused to remove their hats even in the presence of the king. Desiring to found in the new world a colony in which they might carry their principles into effect, the Quakers made settlements on the east bank of the Delaware and established an extremely liberal government which they were never able

Andrews, *Col. Self-Gov't*, 113–124.

Fiske, *Dutch and Quaker Cols.*, II, 109–113, 140–147.

to put into practice effectively. The success of the Quakers in gaining first West Jersey and later control of East Jersey was due principally to the interest and ability of William Penn.

Pennsylvania charter (1681).

MacDonald, *Charters*, No. 38.

66. Penn and His Colony. — Because Penn found it impossible to carry out his ideas regarding society and government in New Jersey, he asked the king for a grant of land west of the Delaware River. As he was a man of high rank, the son of an admiral to whom Charles II was indebted in several ways, and a friend of James, Duke of York, he had no difficulty in obtaining from the king a charter which gave him a large territory beyond the Delaware and made him proprietor of that region with the right to govern it, provided that all laws should be made with the consent of the freemen and sent to England for approval. Parliament, however, had the right to levy taxes within the colony and the proprietor was obliged to appoint an agent through whom the English government might exercise some control over the affairs of the province. It will be seen that the home government had profited by the rather bitter experience it had had with those colonies that refused to recognize its authority over them.

WILLIAM PENN

Andrews, *Col. Self-Gov't*, 165–169, 175–177.

Fiske, *Dutch and Quaker Cols.*, II, 114–118, 147–153.

Growth and inhabitants.

Not only were Penn's religious views advanced, but he had long held political ideas which were extreme in the opinion of men of that time. His colony during its early years showed in marked degree the impress of his personality, and under

his wise and able guidance, grew as no other had done. At the end of four years it contained eight thousand inhabitants, and Philadelphia had become the third city on the continent. English Quakers came in large numbers, but there were numerous Englishmen of different denominations, and many Swedes, Hollanders, Germans, Frenchmen, and Scotchmen. Most of these were attracted by the well-known liberal ideas of Penn and his promise of religious freedom and political rights.

Andrews, *Col. Self-Gov't*, 189–191, and Greene, *Provincial America*, 230–234.

Fiske, *Dutch and Quaker Cols.*, II, 153–158, 320–329.

67. The Government of Pennsylvania. — Penn did not disappoint his colonists, for as early as 1682 he issued a Frame of Government by which he shared with the people the powers of government granted to him as proprietor. At the same time he announced laws which assured a larger number of individual rights than were enjoyed then in any other colony in America. At first the government was composed of a governor and of two large unwieldy houses called the council and the assembly, both of which were elected by the freemen. All laws were proposed by the governor and council, the assembly having no authority except to ratify or reject bills under consideration.

Early government.

MacDonald, *Charters*, Nos. 40, 41, 44.

Andrews, *Col. Self-Gov't*, 182–184, 191–194.

Winsor (ed.), *America*, III, 483–489.

This cumbersome legislature did not work well, and in 1701 Penn gave the colony a new "Charter of Privileges." This reaffirmed religious liberty to all who believed in God, and declared that any one who believed in Jesus Christ as the Savior of the world was qualified to hold office. The charter provided that laws should be made by an assembly, and left the local government in the hands of the people. The charter might be amended by the governor and six sevenths of the assembly. Under it, until 1776, Pennsylvania and Delaware had separate legislatures, although ruled by the same governor.

Charter of Privileges (1701).

Macdonald, *Charters*, No. 46.

Fiske, *Quaker Cols.*, II, 309–311.

In his dealings with the Indians, Penn was just and fair. His famous treaty of 1682 under the "Penn elm" was said by Voltaire to be "the only treaty between savages and Christians that was never sworn to and that was never broken." Like Roger Williams and many other early

Penn and the Indians.

Hart, *Contemporaries*, I, No. 162.

Fiske, *Quaker Cols.*, II, 158–166.

settlers his aim was to pay the red men a reasonable sum for the lands occupied.

Colonial boundary disputes.

68. Boundaries of Pennsylvania. — The exact boundaries of the land granted to Penn in his charter were long in dispute because his territory conflicted with that already granted to several of the other colonies. Pennsylvania was not alone in this heritage of boundary disputes because grants overlapped; but, as the latest of the northern colonies, her boundary difficulties affected more provinces than those of almost any other colony and may be considered in some degree typical of the boundary wars waged by most of the seventeenth-century pioneers. It would naturally be supposed that as late as 1681 the geography of the Delaware and Susquehanna regions would be known accurately, but such was not the case. Penn's grant was to extend 5° west from the Delaware River and 3° north and south along that river.[1] Penn, having acquired Delaware in 1682 and having several settlements in Pennsylvania south of the fortieth parallel and desiring a port on Chesapeake Bay, argued that the "beginning" of the fortieth parallel, which, according to the charter, was the southern boundary of Pennsylvania, must have meant the southern boundary of the zone which was the fortieth from the equator, that is, parallel 39. This claim he could not establish, as the northern boundary of Maryland was 40° also, and it was not until 1760 that the English government decided the controversy by locating the dividing line between the two colonies at 39° 42′. The boundary was surveyed by two skilled mathematicians, Mason and Dixon, from whom

Greene, *Provincial America*, 190–192.

Penn's grant.

Andrews *Col. Self-Gov't.*, 171–175.

Hinsdale, *Old Northwest*, 98–104, 108–110.

[1] Its southern boundary was a semicircular line drawn from twelve miles north and west of New Castle "unto the beginning of the fortieth degree of northern latitude and then by a straight line westward." The northern boundary was the beginning of the three and fortieth degree of northern latitude. As the fortieth parallel had been given as the northern boundary of Maryland (§ 54), the expression, the "beginning" of the fortieth degree probably meant the same as the fortieth parallel of Baltimore's grant, but as a matter of fact, the fortieth parallel is much more than twelve miles north of New Castle, so that it would be impossible to survey such a line as Penn's southern limit called for.

it has since been known as "Mason and Dixon's Line," a name applied later to the boundary between the slave and the free states.

On the north there was doubt about whether the boundary was the forty-third or the forty-second parallel. New York, wishing to retain as much territory as possible and unwilling to grant Pennsylvania any jurisdiction over the six Iroquois nations, contended with success for the lower boundary. When this boundary was decided upon finally, there was no longer any conflict with Massachusetts, which did not claim land south of 42°. The dispute with Connecticut under her sea-to-sea charter involved an attempt on the part of Connecticut to settle the northern part of Pennsylvania, especially Wyoming valley, but the whole territory was assigned to Pennsylvania by the Congress of the Confederation soon after the Revolutionary War.

Northern boundary disputes.

Hinsdale, *Old Northwest*, 110–119.

BOUNDARY DISPUTES OF PENNSYLVANIA

The South after the Restoration (1660–1730)

69. Misgovernment in Virginia (1660–1676). — For several years during the Commonwealth the people of Virginia attempted in an irregular way to govern themselves, but with the restoration of Charles II the old order was reestablished. During the years following the Restoration, Sir William Berkeley was governor of Virginia. Of a despotic temper, he used his office to the personal advantage of himself and his royal master, appointing worthless

Political grievances.

Andrews, *Col. Self-Gov't*, 207–214.

Doyle, *Eng. Cols.*, I, 230–245.

nobles to positions of importance and profit. To maintain better his hold on the government, he kept in office the strongly royalist legislature elected during the excitement following the return of Charles II. For three years no election occurred in Virginia, the appointive system now being used exclusively for local offices. Meanwhile the electoral law was changed so as to exclude all but freeholders, a select class in a colony of plantations. Corruption and misrule held sway in both colonial and local affairs.

Economic grievances.

Fiske, *Old Virginia*, II, 46–54.

The discontent due to these grievances was aggravated by the navigation act of 1660 which forbade the exportation of tobacco to any country but England (§ 58). Prices fell and hard times prevailed. As though this were not enough, Charles, in 1673, rented Virginia for thirty-one years to two of his favorites, Arlington and Culpepper. They received the right to make grants of land, had the absolute control of the important local offices, and appointed all pastors. Fortunately most of these privileges were surrendered in return for a duty on tobacco, showing that the patentees were chiefly interested in the revenue to be obtained from the colony.

Bacon and Berkeley.

Larned (ed.), *Ready Ref.*, V, 3632–3634.

Andrews, *Col. Self-Gov't*, 215–226.

70. Bacon's Rebellion (1676). — The discontent of the Virginians was brought to a head by Indian massacres on the frontier. Governor Berkeley had erected forts for the protection of the outlying settlements and refused to send troops or grant commissions to raise troops. Thereupon Nathaniel Bacon, a young and headstrong but able planter whose overseer had been murdered, gathered a force, and, defying Berkeley's orders, marched into the Indian country. The colony was now in great disorder and demanded a new election of burgesses. This was held, Bacon being among those chosen. The new legislature repealed the restrictive suffrage law and enacted other laws granting greater civil and political liberty. Bacon and Berkeley made their peace, which was broken soon, as neither had confidence in the other. During the civil strife that ensued, Jamestown was burned and Bacon died, the rebellion collapsing with

his death. Berkeley, again supreme, hanged the leaders of the rebellion and secured the repeal of many liberal laws which had been passed in 1676.[1] Unfortunately the rebellion deprived the colony of a very liberal charter which lacked only the king's signature at the beginning of the disturbance.

Provisions of the two charters.

71. The Carolina Charters (1663–1665). — The interest taken in colonial matters during the years following the Restoration is shown clearly in the early history of Carolina. Several of the most prominent courtiers, including Clarendon and Shaftesbury, obtained from Charles in 1663 a charter which made them proprietors of the land lying south of Virginia and extending from sea to sea. Over this vast domain the absolute power of the proprietors was limited only by the provision that the laws should be made with the consent of the freemen represented in an assembly and that "the faith, allegiance and sovereign domain" due to the crown should not be impaired. Perhaps the most notable clause of the charter was the one permitting the proprietors to grant perfect religious freedom to such of the loyal settlers as they desired — a clause of which we are glad to say advantage was taken. Two years later the limits of the colony were extended still further south and one half degree farther north, making the boundary between Virginia and the new colony of Carolina practically the same as the present southern boundary of Virginia.

MacDonald, *Charters*, Nos. 26, 32.

Andrews, *Col. Self-Gov't*, 130–138.

Locke's Fundamental Constitutions (1669).

72. Proprietary Government in Carolina (1667–1729). — For the government of their Carolina province very elaborate "Fundamental Constitutions" were drawn for the proprietors by the philosopher, John Locke. This cumbersome document provided for a feudal system in which the chief landowners were the proprietors and nobles whom they appointed. No land was to be sold after forty years, so as to make this mediæval system permanent. The government was to be in the hands of the proprietors and nobles,

MacDonald, *Charters*, No. 33.

[1] King Charles II is reported to have said of Berkeley: "That old fool has hanged more men in that naked country than I have done for the murder of my father."

Andrews, *Col. Self-Gov't*, 139–141.

Fiske, *Old Virginia*, II, 272–276,

although there was to be a parliament for members of which all freeholders owning estates of fifty acres might vote. A degree of religious liberty was permitted to churches of at least seven members, though not to separate individuals. It is needless to say that these constitutions never went into effect. The proprietors waited until the development of the colonies should warrant their use, but that time never came.

Social and political changes (1670–1729).

Winsor (ed.), *America*, V, 311-316, 322–327.

The growth of Carolina was by no means rapid and few settlements were added in northern Carolina to those existing when the proprietors received their patent. In southern Carolina Charleston was founded in 1672 and a few other towns begun by the English. A large percentage of the inhabitants were Scotch highlanders and French Huguenots drawn thither by the promise of religious freedom. Political liberty also was enjoyed to an unusual degree, for the people exerted a great influence in local government and their representatives chose part of the council or upper house of the legislature. The time came when the voters believed that the proprietors were selecting more than their share of the councilors. A rebellion followed (1719), with an overwhelming victory for the people, who selected a governor and asked the king to accept South Carolina as a royal province, which he did. Ten years later all rights of the proprietors were extinguished by purchase.

New England (1655–1685)

Quakers in Massachusetts (1655-1660).

Hart, *Contemporaries*, I, Nos. 140–142.

Doyle, *Eng. Cols.*, III, 100–114.

73. Problems of New England (1655–1675). — During the later years of the Commonwealth the Puritan colonies had considerable trouble with the Quakers, who were driven out from England by harsh measures. Severe laws were made by the colonies in the New England Confederacy, particularly against those who returned after being sent away. Massachusetts in 1658 made it a capital offense for any Quaker to return to the colony. This law was opposed by a large part of the population and when it was enforced by putting to death three Quakers, the protests

were so loud that the law was changed. In fact after 1660 the colony was much more liberal in its treatment of non-Puritans than it had been before.

New charters.

Soon after Charles II came to the throne in 1660, he united the colonies of Connecticut and New Haven by giving a charter to the former, as New Haven had incurred the royal displeasure by harboring judges who had condemned to death Charles I. Rhode Island and Providence also received a charter in 1663.

MacDonald, *Charters*, Nos. 24–27.

Massachusetts and the king (1660–1664).

A number of complaints had been made against Massachusetts at this time, because she had been domineering in her treatment of her weaker neighbors and on account of her independent spirit. Under the Commonwealth, *e.g.* she had coined "pine tree shillings," thus exercising a sovereign power, and in 1661 she had issued a declaration of rights. Nevertheless the charter of Massachusetts was confirmed by Charles in 1662, on condition that the colony acknowledge the supremacy of England and grant to members of the Anglican church freedom of worship and the right to vote on the same terms as Puritans. In form Massachusetts complied with these requests which affected so deeply her religious and political policy, but no change was made in her relations with England, and, as her ministers alone registered those eligible to vote, members of the church of England did not often enjoy a share in the government. In 1664 the commissioners who had charge of the expedition against New Netherland (§ 63) were instructed to investigate affairs in New England also. These men complained that Massachusetts was not fulfilling the conditions imposed by the king in 1662, but the home government was too much interested in other matters to correct her refractory colony until ten years later.

PINE TREE SHILLING

Andrews, *Col. Self-Gov't*, 47–48, 70–72.

74. **King Philip's War (1675–1676).** — The constant en-

Events and results.

croachments of the English settlers on the lands of the Indians made collision inevitable. Under the lead of Philip, chief of the Wampanoags, these Indians agreed with other tribes to exterminate the whites. The first blow was struck in June, 1675, at Swansea in Plymouth, near the Rhode Island border. Other towns were burned and the inhabitants were slain, the war parties retiring before help could come from other settlements. After six months of this horrible border warfare a thousand men were sent against the stronghold of the Narragansetts, which was captured after severe loss and completely destroyed. From this time the warfare increased in bitterness on the one side and barbarity on the other until in August, 1676, Philip was killed and the last Indian braves were hunted from their retreats. Many of the luckless survivors of this struggle, including women and children, were sent to the West Indies to be sold into slavery. By this pitiless course all danger from the red men was removed, but the colonies were left in an exhausted condition. Many of the towns had been entirely destroyed, hundreds of men had been killed, crops had been burned so that famine was narrowly averted, and trade had almost ceased.

Andrews, *Col. Self-Gov't*, 252–256.

Hart, *Contemporaries*, I, Nos. 133,134.

Larned (ed.), *Ready Ref.*, III, 2310–2313.

Complaints against Massachusetts.

75. Massachusetts and the Crown (1675–1684).—Matters had now reached a crisis in the Bay colony. The indifference of Massachusetts to the demands of the English government and her arrogance in her treatment of those with whom she had dealings, especially in New Hampshire and Maine, culminated in a series of complaints so serious that definite action was taken against Massachusetts. Among the more serious charges were: (1) her disregard of the rights of the Mason and Gorges heirs along the coast to the north; (2) the failure to give political and religious rights to non-Puritans in accordance with the requests of the king (1662); (3) the evasion of the acts of trade which forbade commerce with nations other than England; and (4) the general independent attitude of the colonists shown in their separate coinage of money, their refusal to allow

Andrews, *Col. Self-Gov't*, 256–262.

appeals from colonial courts to those of the king, and their neglect to send to England an agent through whom the colony might be controlled.

Revocation of the charter (1684).

The case of New Hampshire was settled by making the colony a royal province. Massachusetts tried to end that of Maine by purchasing the rights of the Gorges heirs, but as this was done without the knowledge or consent of King Charles, it aroused still greater feeling against Massachusetts. During this period the business of the English government in the colony was intrusted to Edward Randolph, an honest but exceedingly narrow man and a partisan of Massachusetts' enemies, who used his authority in such a way as to widen the breach between the mother country and the none too conciliatory Puritan leaders. Although Massachusetts, taking alarm at last, agreed to yield on every question, the king was in no mood for half measures and in 1684 the charter of the colony was annulled. At this time Charles had come very largely under the influence of Louis XIV of France, and was showing himself a monarch fond of absolute government. Not only did he deprive Massachusetts of her charter, with good reason it must be admitted, but he proceeded also against the charters of London and other English cities, and before his death prepared to annul the charters of the inoffensive colonies of Rhode Island and Connecticut.

Andrews, *Col. Self-Gov't*, 262–265.

The Great Revolution (1685–1700)

Consolidation of the northern colonies.

76. The Dominion of New England. — Before 1685 many English merchants and officials had favored the consolidation of the northern colonies under a single governor who could then govern them more perfectly in the interests of England. The death of Charles II in 1685 left the execution of this plan to James II who was more opposed to popular government than his brother had been. Under the name of the Dominion of New England, James united all the colonies from Acadia to the Delaware, naming Sir Edmund Andros as governor. The difficulty caused by

Andrews, *Col. Self-Gov't*, 265–272.

Fiske, *New England*, 267–272.

Doyle, *Eng. Cols.*, III, 234–236, 242–249.

the existence of charters in Rhode Island and Connecticut was solved by demanding the surrender of those documents. Rhode Island agreed to submit and Connecticut did not hold out, although she failed to part with her charter, tradition asserting that when Andros sought to obtain it, the charter was spirited away and hidden in the "charter oak."

Government of the Dominion.

Full and arbitrary instructions were issued to Andros by the king. The governor, who was a soldier rather than a politician, obeyed the letter of his instructions, carrying out the wishes of James with such care and so little tact that the period of his rule is often referred to as "the tyranny of Andros." During his term no popular assembly was called nor was any town allowed to hold town meetings except once a year. Laws were made and taxes levied by the governor and councilors appointed by Andros, being executed by agents of the governor. There were no courts except those held by judges whom the governor selected. No papers or books were printed unless they first received the approval of James's representatives.

Doyle, *Eng. Cols.*, III, 234–239.

Changes affecting church and society.

This arbitrary government was of course offensive to people who were sticklers for their political rights, but it caused even less opposition to the new administration than certain acts which affected religious prejudices and the rights of property. Preference was given now to the Anglican church and services were held according to the rites of the church of England in the Old South meeting house. Marriages could be celebrated only by an Anglican clergyman, and as there was but one in the colony all persons who wished to marry must journey to Boston, a trip as tedious as the service itself was distasteful. Many who held lands with titles in dispute were obliged to prove their rights at great cost, the impression being general that no one's land was safe from attack. Under these circumstances there was little wonder that in Massachusetts at least the caldron of revolution was on the point of boiling over.

Doyle, *Eng. Cols.*, III, 239–243.

77. **The Revolution of 1689 in England and New England.** — This happened when news was brought in April,

1689, that William of Orange had landed in England and that James had fled from the kingdom. During the three years of his reign James had incurred the displeasure and aroused the opposition of class after class of the population. His claim that he might suspend any law he pleased, coupled with his attempt to control the courts for his own benefit, his open help to Catholics, and his utter disregard for the civil rights which the people had wrested from his father and brother, united the nation against him. So long as the people expected that at his death the crown would pass to his daughter, Mary, and her husband, his nephew, William of Orange, they remained passive, but when a prince was born who would probably be brought up a Catholic, a number of leaders invited William to come to England and help them preserve their liberties. With the flight of James and the selection by the people's representatives of William and Mary as the rulers of England, the long contest between parliament and the king ended in the complete supremacy of the former. The principal results of the revolution were embodied in the Bill of Rights (1689) and in several supplementary acts. They assured the frequent meetings of parliament, and control by that body of taxation, the army, and other important subjects; they guaranteed freedom of the press and religious toleration for all Protestants; and they prevented the king from setting aside laws or removing judges at his pleasure.

Causes and results in England.

Cheyney, *England*, 500–514.

When news of James's flight reached Massachusetts, the frigate in the harbor and all fortifications about Boston were seized, Andros and other officials were imprisoned, and a temporary government similar to that under the old charter was established. There was no bloodshed, but the overthrow of the government of Andros was complete. Rhode Island and Connecticut resumed the use of their charters, which they had never surrendered, but Massachusetts did not have a regularly organized government until in 1691 a new charter of a semi-popular type was issued by William and Mary. To Massachusetts Bay Colony

Reëstablishment of charter government in New England.

MacDonald, *Charters*, No. 42.

Hart, *Contemporaries*, I, No. 136.

Fiske, *New England*, 272–278.

were added Plymouth and the islands south of Plymouth, as well as the English provinces beginning with Maine eastward to Acadia, which was included. The people were allowed to resume the government of their towns by town meetings and were also permitted to elect an assembly, the assembly in turn choosing the governor's council. The governor, the lieutenant governor, and the secretary were appointed by the crown, as in New York and Virginia. Under this quite liberal charter Massachusetts was governed until her separation from Great Britain (1776).

Leisler's Rebellion.

Andrews, *Col. Self-Gov't*, 283–287.

Hart, *Contemporaries*, I, No. 157.

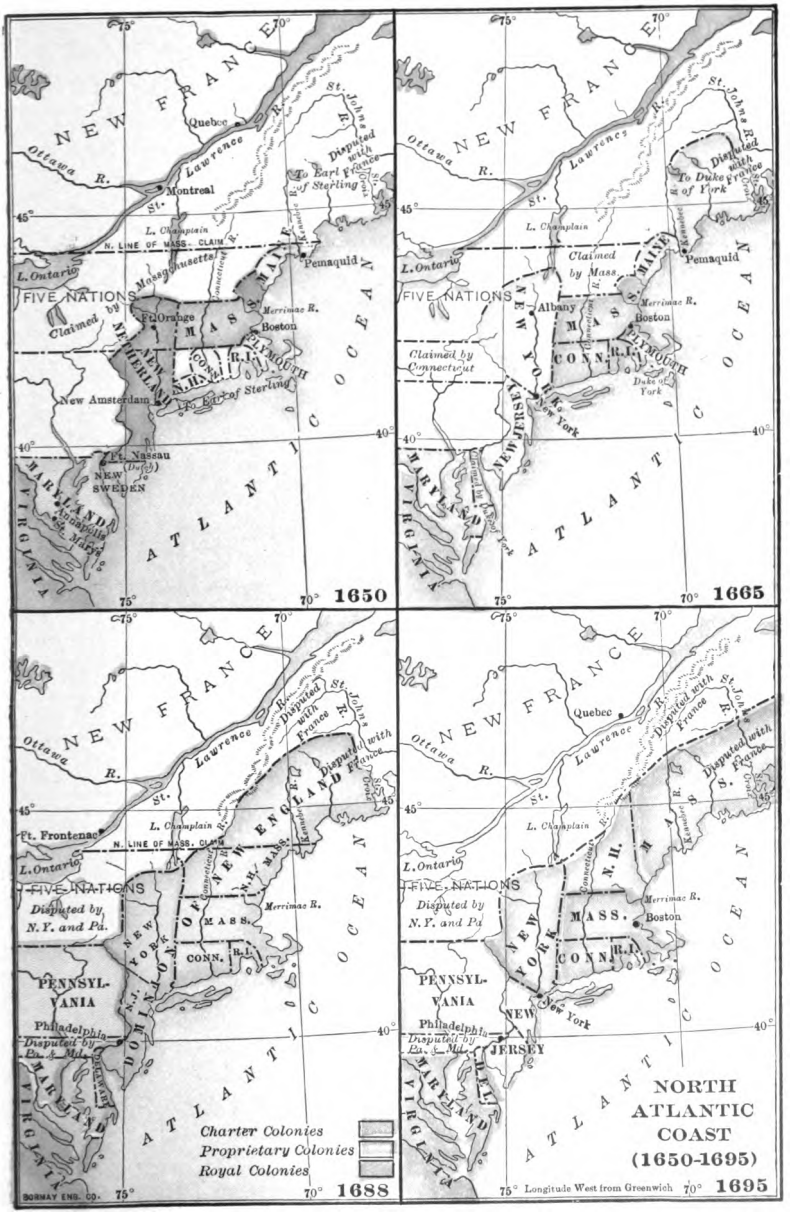
78. Revolutionary Movements in the Middle and Southern Colonies. — In New York (the lower part of the Dominion of New England) Andros's lieutenant, Nicholson, attempted to maintain his authority after news had been received that James had been driven from England, and that Andros was a prisoner at Boston. Taking advantage of this, the opponents of Nicholson, led by a merchant, Jacob Leisler, gained possession of the province. The new monarchs were proclaimed, an assembly was called, and for nearly two years the laws were administered by Leisler, whose authority was not recognized officially. When a governor was finally sent over, Leisler, now cordially hated by a large part of the population, yielded of necessity. He was tried on the charge of treason and condemned, being put to death when his successor, while intoxicated, was induced to sign his death warrant. This unwise and unjust "judicial murder" involved the colony in serious internal dissensions. "Leisler's Rebellion," however, had shown the strength of the popular party and from that time New York enjoyed a fair degree of self-government.

Results in Maryland.

Andrews, *Col. Self-Gov't*, 79–283.

Browne, *Maryland*, 147–156.

Maryland failed to proclaim the new monarchs because the messenger whom Baltimore had sent with instructions to recognize the new government died before reaching the colony. The anti-Catholic party took advantage of this neglect, captured the officials who favored Baltimore, and claimed the province for William and Mary. The monarchs decided to keep the government of Maryland in their own


NEW FRANCE
Quebec
Ottawa R.
St. Lawrence R.
Montreal
St. Johns R.
Disputed with France
To Earl of Sterling
L. Champlain
N. LINE OF MASS. CLAIM
L. Ontario
FIVE NATIONS
Claimed by Massachusetts
Pemaquid
MASS.
MAINE
Ft. Orange
Merrimac R.
Boston
NEW HERLAND
NEW YORK
CONN.
R.I.
PLYMOUTH
New Amsterdam
To Earl of Sterling
Ft. Nassau (Dutch)
NEW SWEDEN
MARYLAND
Annapolis
St. Mary's
VIRGINIA
ATLANTIC OCEAN
1650
To Duke of York
Claimed by Mass.
Albany
Claimed by Connecticut
Duke of York
New York
NEW JERSEY
Claimed by Duke of York
1665
Ft. Frontenac
Disputed by N.Y. and Pa.
NEW ENGLAND
N.H.
MASS.
DOMINION OF NEW YORK
PENNSYLVANIA
Philadelphia
Disputed by Pa. & Md.
DELAWARE
Charter Colonies
Proprietary Colonies
Royal Colonies
1688
NORTH ATLANTIC COAST (1650-1695)
Longitude West from Greenwich
1695
BORMAY ENG. CO.

hands, although they did not interfere with the revenues or land rights of Baltimore, but it was a quarter century before another and Protestant Lord Baltimore regained political control of the colony.

Doyle, *Eng. Cols.*, I, 264–274.

79. **Results of the Revolution in America.** — It will be noted that the changes in America following the Revolution of 1689 were of the first magnitude. It will be noted also that they were not the results simply of the revolutionary movement in England, but of several minor revolutions in this country, which were due to causes exclusively American, although the expulsion of James furnished the occasion for the overthrow of arbitrary rule in the colonies. Throughout the Dominion of New England the arbitrary government established by James was replaced by constitutional government. Connecticut and Rhode Island resumed the use of their old charters. Massachusetts secured less complete self-government than she had enjoyed before 1684, but in New York there was a great advance over the system in use at all former times. A second result of considerable importance was the failure of the scheme for the consolidation of the colonies. Union, even under the later kings, would have been injurious, for the colonies owed a very large amount of their experience in self-government and their numerous political privileges to their separateness.

Reëstablishment of separate charter governments.

Greene, *Provincial America*, 17–24.

In some ways the reign of William III was not especially favorable to colonial liberty. The king expressly and emphatically denied to the colonies the rights which the Bill of Rights guaranteed throughout the length and breadth of England. Religious toleration of all except Catholics was extended to the colonies, but if any colonies enjoyed freedom of the press and the privilege of the writ of *habeas corpus*, it was because the charters of the colonies made it impossible for the monarch to control their policy in those matters. The increase of the power of parliament due to the Revolution led to the reënactment of the old laws of trade and the passage of several laws prohibiting colonial manufactures (§ 120). During this period also

Colonial policy of England after 1689.

Greene, *Provincial America*, 30–38, 46–62.

the English government perfected means for controlling the colonies by establishing a permanent "Board of Trade and Plantations" (1696), whose members were popularly called "the Lords of Trade." This board gradually took charge of almost all matters referring to the colonies, including the right to decide all matters which had been adjudged in the highest court of any colony, if either party wished to appeal from the decision of the colonial court.

Territorial changes (1660–1700).

80. The Colonies in 1700. — It may be well to consider for a moment the changes in the extent of English territory and in the relation of the colonies to the mother country that had taken place in the last four decades of the seventeenth century. At the time of the Restoration there had been two well-defined groups of colonies, the New England group, extending as far north as the Kennebec, and the southern colonies, with their frontier settlements a short distance south of the James. By the conquest of New Netherland, England came into possession of the intervening territory and by settlements in Carolina had extended the frontier almost to the Savannah River. Although the settlers had continued to push into the interior, the frontier line was but little farther from the coast in 1700 than in 1660. Immigration from England had been fairly extensive and the population of the colonies, estimated at 60,000 in 1660, had become 250,000 in 1700.

Colonial policy after 1660.

Before 1660 England had no colonial policy. Since the Restoration it had organized the colonies, brought many of them directly under the royal authority, and had created a board which had charge of all colonial affairs. It had passed numerous acts of trade which regulated the commerce of the colonies, primarily in the interests of England, but not always to the disadvantage of the colonies.

TOPICS

1. THE BEGINNING OF PENNSYLVANIA: Fiske, "Dutch and Quaker Colonies," II, pp. 147–167; Bancroft, "United States," I, 552–573; Winsor (ed.), "America," III, pp. 476–495.

2. BOUNDARY DIFFICULTIES OF PENNSYLVANIA: Hinsdale, "Old Northwest," 98–119; Fisher, "Making of Pennsylvania," pp. 318–354.

3. BACON'S REBELLION: Fiske, "Old Virginia," pp. 45–107; Doyle, "English Colonies," I, pp. 230–257; Cooke, "Virginia," pp. 216–297.

4. KING PHILIP'S WAR: Bancroft, "United States," I, 382–394; Fiske, "New England," pp. 211–241; Doyle, "English Colonies," III, pp. 153–189.

5. MASSACHUSETTS AND THE CROWN, DURING REIGN OF CHARLES II: Bancroft, "United States," I, 367–381, 395–406; Doyle, "Colonies," III, pp. 130–152, 190–208, 214–226; Palfrey, "New England," II, pp. 28–36, 56–63, 71–80, 210–260.

STUDIES

1. Early navigation acts. (Winsor (ed.), "America," VI, pp. 5–10.)

2. The patroon system. (MacDonald, "Charters," No. 9.)

3. Wars of England and Holland. (Griffis, Motley's "Dutch Republic," pp. 832–847.)

4. Evolution of New York. (Janvier, "In Old New York.")

5. Early history of Wall Street. (Goodwin *et al.* (eds.), "History of New York," I, pp. 77–118.)

6. Character of William Penn.

7. Overthrow of proprietary government in South Carolina. Doyle, "English Colonies," I, 376–380.

8. Puritans and Anglicans after the revolution of 1689. (Greene, "Provincial America," pp. 83–105.)

QUESTIONS

1. What degree of self-government had the people of New Netherland gained under Dutch rule? What were the lasting results of Dutch occupation? Compare the situation in New Netherland in 1663 with that in the South African Republic in 1898.

2. Compare fully the powers of Penn as proprietor with those of Baltimore. In what respects was Pennsylvania at an early date more like the states of to-day than any of the other colonies?

3. What were the real causes of Bacon's rebellion? What were the results and the real significance of this movement?

4. On what grounds might a colonial charter be amended? be revoked? Should Massachusetts have been allowed to retain her charter after 1664? Compare the complaints after 1660 with those after 1676. Were the latter more serious?

5. Compare the period 1618–1640 with that from 1660 to 1682 as to (*a*) interest in colonization, (*b*) causes of colonization, (*c*) number of colonies established, and (*d*) total settled area at close of the period.

CHAPTER V

RIVALRY OF FRENCH AND ENGLISH (1689–1763)

French Kings		English Rulers	
Henry IV	(1589–1610)	William III	(1689–1702)
Louis XIII	(1610–1643)	Anne	(1702–1714)
Louis XIV	(1643–1715)	George I	(1714–1727)
Louis XV	(1715–1774)	George II	(1727–1760)
		George III	(1760–1820)

Wars between France and England.

Seelye, *Expansion of England*, Chapter II.

81. Introduction. — The year 1689 is notable for the changes which it wrought in the internal development of England and the English colonies, but is almost as important in the intercolonial history of America, because it marks the beginning of a long conflict between the provinces of England and France in the new world. During the years from 1689 to 1750 the European wars in which these two countries engaged were accompanied naturally by military engagements in the colonies, although these were of minor significance. About 1750 began the real contest between the two powers for the control of the continent — a struggle short and really one-sided, which ended in the complete supremacy of the English and the expulsion of the French from North America. In this chapter we shall consider not only the more important events in the intercolonial wars and study the progress of both French and English colonies after 1689, but shall take up briefly also the earlier history of the interesting ventures of the French in America.

French Exploration and Settlement

France under Henry IV.

82. Founding of New France. — With the accession of Henry IV (1589), there came a new era of prosperity in France. Deadly civil and religious wars ceased, commerce

revived, and industry received new impetus. Interest in colonization kept pace with the development in other directions, and several settlements were attempted in Acadia. One of these under the lead of De Monts was established at Port Royal (1604) and proved successful temporarily.

Adams, *French Nation*, 177–188.

Among the companions of De Monts was a young man of great energy and foresight, who believed that the St. Lawrence basin offered a better location for trading, exploration, and permanent settlement. This man, Samuel de Champlain, founded Quebec in 1608 and soon perceived that his only hope of holding the country and gaining the interior was to make friends with the Indians of the St. Lawrence valley. But the Algonquins living on the St. Lawrence and the Ottawa rivers, together with the Huron Indians to the west, had for many years waged almost incessant war with the Five Nations of the Long House in central New York. The allies of Champlain persuaded him therefore to join them in expeditions against the Iroquois. The first of these in 1609 brought him to the shores of the lake now called by his name, where a single well-aimed shot from his arquebus put to flight the Mohawks who opposed him and brought upon the French the enmity of the most powerful Indian confederacy in North America. A few weeks after this momentous battle, Henry Hudson entertained some Mohawks at a point near the present city of Albany, only a little over one hundred miles away, and gained the goodwill of the Iroquois. Although he was responsible for this disastrous hostility of the Iroquois to the French, Champlain deserves all the credit for the success of New France, for he

Champlain in the St. Lawrence valley (1608–1635).

CHAMPLAIN

Hart, *Contemporaries*, I, No. 39.

Thwaites, *France in America*, 16–22.

Parkman, *Struggle for a Continent*, 88–106, 120–124.

took part in numerous exploring expeditions and kept the sickly little hamlet alive through his unflagging zeal and unwearied efforts. In 1629, however, Quebec was captured by the English with the help of some French Huguenots, and it was returned to France at the close of the war only through the influence of Richelieu, who had recently interested himself in France's American possessions. In 1635 Champlain died and so little did New France prosper that a half century after Quebec was founded there were only about two thousand persons in the colony.

Classes that extended French sway.

83. Exploration of the West. — The work of extending French influence in the West was carried on by three different classes: (1) the Jesuit missionaries who, before the middle of the seventeenth century, had established missions as far south as the Iroquois country, and as far west as Sault Ste. Marie; (2) the fur traders who found they could make greater profits by visiting the more distant tribes; and (3) the explorers who desired to extend the political sway of France rather than her religious or commercial interests.

Parkman, *Struggle for a Continent*, 130–134, 180–185.

Early explorers. La Salle.

The earliest of western explorers, Nicollet, launched his canoe on a tributary of the Mississippi about 1640, but it was not until 1673 that Marquette and Joliet explored that river, which they descended as far as the Arkansas. The work of these men was completed by the greatest American explorer, Robert Cavelier, Sieur de La Salle, who proposed to gain possession of the whole interior and maintain this hold by means of a chain of forts situated at strategic points. In spite of almost overwhelming odds and amid the greatest difficulties, he clung to his single purpose of making New France the strongest colony in America. His explorations began in 1669 with a trip via Lake Erie to the Ohio River. Ten years later he sought to explore the Mississippi to its mouth. After two futile expeditions filled with difficulties, his third expedition met with success and on April 9, 1682, La Salle planted the standard of France where the Mississippi River pours its vast volume into the Gulf of Mexico and claimed the whole territory drained by it for

Fiske, *Disc. of America*, II, 53–58.

Hart, *Contemporaries*, I, No. 43.

Louis XIV. He next proceeded to France, told the king his plans, and asked permission to settle at the mouth of the Mississippi, to build a chain of forts from this point to the colony of Canada, and to drive out the Spaniards who claimed the country. An expedition was fitted out, but by accident came to Texas. Here La Salle was shot in 1687 by one of his own men.

Early settlement.

84. Louisiana (1699–1720). — La Salle's plan was not abandoned, although nothing further was done until after the first intercolonial war. In 1699 a settlement was made at Biloxi, but it was abandoned, the colonists moving to Mobile in 1701. Both the English and the Spanish protested against this occupancy of the gulf region, the former on the ground that this land was covered by previous grants made by English kings, the latter because of her discoveries and explorations and her settlements in Florida and on the Mexican coast. The Spaniards had in fact occupied the best harbor on the coast, that of Pensacola, as early as 1696, in the hope of preventing further French attempts at colonization. Louisiana did not grow rapidly, but in 1718 New Orleans was founded and forts were placed at commanding points on the Mississippi and Red rivers, so that all other nations were effectively excluded from the Mississippi basin. About this time attention was called to the Louisiana settlements by the speculations in the stock of the French Mississippi company under the manipulations of the Scotchman, John Law. The bursting of the "Mississippi Bubble" did much in the end to injure the colony.

Hart, *Contemporaries*, II, Nos. 109, 110.

Thwaites, *France in America*, 72–88.

Ogg, *Mississippi*, 169–204.

Parkman, *Half Century*, I, 288–314.

French and English Colonies (1689–1754)

Beginning of the hundred years' war (1689–1697).

85. The Treaty of Utrecht (1713). — Before the French had gained a foothold at the mouth of the Mississippi, the colony of New France became engaged in two conflicts with the English on the Atlantic coast. These wars were of European origin, caused by differences between France and England. The first followed the Revolution of 1689 and the attempt made by Louis XIV to regain the throne of England

for James II. For the French, the contest in America was ably conducted by the most capable of a long line of able governors, the Count of Frontenac. At the close of the war the French retained the territory draining into the Hudson Bay and all lands occupied by them at the beginning of the conflict.[1]

War of the Spanish Succession (1702–1713).

But five years elapsed before the ambitions of France again involved that country in a European conflict,[2] when Louis XIV sought to place upon the throne of Spain his grandson, Philip of Anjou, to whom the late Spanish king had left his scepter. The coalition against France was remarkably successful during the long war that followed, and in America the English colonists gained possession of territory in Acadia, Newfoundland, and farther north.

Treaty of Utrecht (1713).

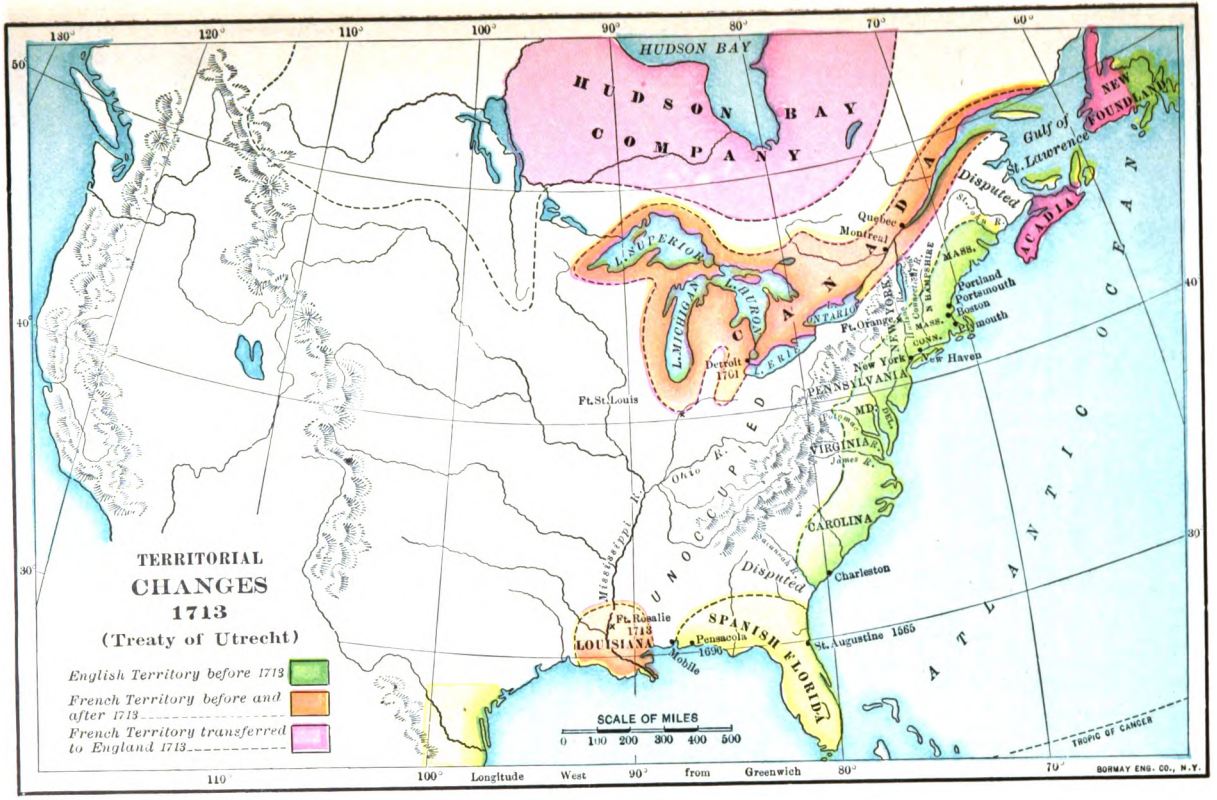
MacDonald, *Charters*, No. 47.

The war was brought to a close in 1713 by the Treaty of Utrecht. England was able to make peace on very favorable terms because of her successes everywhere. She allowed Philip to retain his position, but only on condition that the two thrones of France and Spain should never be united. While France was permitted to keep Canada and Louisiana, England gained possession of the entire area draining into Hudson Bay, the whole of Newfoundland, and Acadia according to its most ancient limits. This last provision was to be a bone of contention for fifty years, as France wished to restrict England to the peninsula called Nova Scotia and England claimed Cape Breton Island and the mainland to the north and west as far as the St. Lawrence and the Penobscot. According to the treaty the French were allowed to catch fish off Newfoundland, with the privilege of drying their fish on parts of the island, the earliest attempt to regulate by treaty the rights of different nations in the fisheries.[3]

[1] The Treaty of Ryswick (1697) brought to a close this war, known in colonial history as King William's War.

[2] In the colonies this war was called Queen Anne's War, in Europe it was known as the War of the Spanish Succession.

[3] The treaty stated also that France should never molest the Five Nations "subject to the dominion of Great Britain." France of course


TERRITORIAL
CHANGES
1713
(Treaty of Utrecht)
English Territory before 1713
French Territory before and after 1713
French Territory transferred to England 1713
HUDSON BAY
HUDSON BAY COMPANY
CANADA
Quebec
Montreal
Gulf of St. Lawrence
NEWFOUNDLAND
ACADIA
Disputed
L. SUPERIOR
L. MICHIGAN
L. HURON
L. ERIE
ONTARIO
Detroit 1701
Ft. Orange
Portland
Portsmouth
Boston
Plymouth
New York
New Haven
PENNSYLVANIA
MD.
VIRGINIA
CAROLINA
Charleston
UNOCCUPIED
Ft. St. Louis
Ohio R.
Mississippi R.
Ft. Rosalie 1713
LOUISIANA
Pensacola 1696
Mobile
SPANISH FLORIDA
St. Augustine 1565
ATLANTIC OCEAN
SCALE OF MILES
0 100 200 300 400 500
TROPIC OF CANCER
Longitude West from Greenwich
BORMAY ENG. CO., N.Y.

86. Georgia. — The thirty years between the Treaty of Utrecht and the third war between England and France was a period of expansion and development for both parties. With both it was a time of preparation for the conflict which was to determine the possession of the continent, but the preparation of the French, carefully planned as it was, proved to be less perfect than the growth of the sturdy English colonies which were less conscious of the impending crisis and apparently did nothing to make ready for it. The two historical events of the period which particularly deserve attention were the settlement of Georgia and the conflicts between the governors and the assemblies in a majority of the colonies.

Peaceful growth (1713–1744).

Georgia was founded by James Edward Oglethorpe and several associates who desired to establish a colony in which debtors might get a new start. They obtained from the king a charter to land from the Savannah to the Altamaha rivers and westward to the Pacific. This was to be governed by a council in which the people had no choice. The inhabitants, except Roman Catholics, were to have religious freedom and all were to enjoy the rights of Englishmen. The trustees of the colony sought to prevent the growth of large plantations by forbidding negro slavery and restricting the amount of land held by one person. They expected to make great fortunes by producing raw silk and wines. Almost without exception, their plans came to naught. The settlers proved to be inefficient, save for a few bands that were not sent over by the trustees. Slaves were hired from the people of Carolina and later regular slavery was introduced, and the agricultural schemes of the founders entailed such losses that they were abandoned. The colony prospered after a fashion, but was so much exposed to Spanish attacks and so greatly handicapped by its start that it did not develop at all rapidly.

Georgia (1731–1752).

Hart, *Contemporaries*, II, Nos. 39–44.

Greene, *Provincial America*, 249–269.

claimed that while these Indians might be subjects of England, the territory of the Iroquois and of their tributary tribes was still free. England, however, claimed territorial as well as personal dominion.

The colonies under the first Hanoverians.

87. The English Colonists and their Governors. — Meanwhile the older English colonies were growing more rapidly than at any previous time. Large numbers of immigrants, most of them of other nationalities than English, flocked to America. These new settlers, with the more adventurous of the native-born inhabitants, pressed into the interior. Commerce and industry were expanding with considerable rapidity, notwithstanding the laws which were made by the English government to control these occupations, for these laws were not enforced.[1] Under the first two Hanoverians the colonial governments were allowed by the authorities in England to do much as they pleased, and they pleased to run their own affairs. The principal obstacle in the way of their complete management of American affairs they found in the governors who were sent over to look after the interests of the crown, in the royal colonies, or of the proprietors, in the proprietary colonies. These governors were intrusted with powers so important that they often controlled the situation theoretically. But custom frequently prevented them from exercising these powers fully. There were often important men or interests to be consulted and a new governor was obliged to use his powers with caution. If, as was often the case, he was a pleasure-loving court favorite, he followed the line of least resistance, and yielded to the assembly (the lower house of the legislature, which was always elected by the people) most of its demands as the price of peace. By using this method, which was sneeringly called a process of "bargain and sale," the assemblies in most of the colonies paid the governors' salaries and allowed them to perform their duties unhampered only when the governors in turn kept their hands off the business of the assemblies. These contests between the governors and the assemblies were the most marked characteristic of English colonial history during the first half of the eighteenth century. The almost unvarying success of the assemblies left the colonies to a large extent

Victories of the assemblies over the governors.

Thwaites, *The Colonies*, §§ 123–126.

Greene, *Provincial America*, 194–200.

[1] See § 121.

self-governing and did much to give the colonial leaders confidence in their ability to protect themselves from interference on the part of the home government or its representatives.

Organization of the government.

88. Government of the French Colonies. — The French colonies were governed very differently. No representative of the people had a share in making the laws. The king appointed directly all of the chief colonial officials. There was a *governor* who had control of military affairs, who executed the laws, who, in fact, had more influence than any one else in making the laws. These governors held office as a rule for a longer time than the governors in the English colonies and exercised powers that were immeasurably greater. But every governor had at his elbow an official called an "*intendant*," who was appointed by the king to spy upon the governor and report to the king what the governor did. Naturally he acted as a check on that official, but this dual system resulted in constant misunderstandings and bickerings. The real legislative head of the French colonies was a superior *council* appointed by the king. This council made laws, established courts, and formed a final court of appeal.

Parkman, *Struggle for a Continent*, 169–173.

Thwaites, *France in America*, 128–135.

Such an absolute government of council, governor, and intendant made it possible for the French colonies to concentrate all their strength in carrying on war and seizing territory, much to their advantage. But the French rule was not fitted to develop strong, populous, self-reliant colonies. The government established a paternalism which sought to aid the colonies, but which succeeded only in weakening them. Commercial monopolies interfered with individual enterprise, immigration was restricted by the ardor of the Jesuit priests who kept out Protestant settlers, while feudal estates and privileges placed barriers in the way of social progress. For the protection of the fine territorial domain that she had secured, France at the middle of the eighteenth century could muster only eighty thousand inhabitants, while the rival British possessions boasted

Results of the French colonial policy.

Parkman, *Struggle for a Continent*, 314–318.

Thwaites, *France in America*, 132–142.

nearly a million and a quarter. Little wonder that the court of that pleasure-loving monarch, Louis XV, with its short-sighted, blundering policy in Europe, Asia, and America, was unable to retain its hold in America!

War of the Austrian Succession (1744-1748).

89. Preparation for the Final Conflict. — Great Britain and Spain had been at war for several years before the war of the Austrian succession, which involved nearly every country of Europe, spread to America in 1744. Only one important military event distinguished this third intercolonial war. The great fortress of Louisburg on Cape Breton Island, which commanded the entrance to the St. Lawrence and threatened the English colonies of Newfoundland and Acadia, was reduced by William Pepperell and a force of New England farmers and fishermen almost unaided by the British navy. Much to the indignation of the colonists, this advantage was lost by the treaty of Aix-la-Chapelle (1748), since Louisburg was returned to the French in exchange for Dutch fortresses that they gave up.

Fiske, *New France and New England*, 249-256.

French forts in the West.

As this treaty of Aix-la-Chapelle was considered by all parties a mere truce — a temporary lull in the storm — each side was busy making preparations for the real struggle to follow. France had already made considerable progress in the occupation of the West, having gained control of the principal avenues of communication by establishing forts at strategic points like Frontenac, Detroit, Sault Ste. Marie, and Chartres before 1720. When the English sought to secure a large share of the fur trade by building a trading post at Oswego in 1722, the French tried by establishing forts at Crown Point and Niagara to gain control of Lake Champlain and to recover the trade they had lost on Lake Ontario. At the close of the third intercolonial war, the French governor of Canada strengthened the chain of forts from Montreal to New Orleans, and in order to gain the goodwill of the western Indians by impressing them with the power of the French, he buried leaden plates inscribed with the arms of France and the claim that France was the sole owner of the country west of the mountains.

Parkman, *Struggle for a Continent*, 156-264, 297-300.

Parkman, *Half Century*, I, 63-77.

Expulsion of the French (1754–1763)

90. The Struggle for the Upper Ohio Valley. — In 1753 the French extended their system of forts to the valley of the Allegheny River, with the intention of keeping the English from the upper Ohio region. The English had already secured from the Iroquois a claim to this territory, but the first real interest in the country beyond the mountains was developed in Virginia, which claimed that section as a part of the land grant in her charter of 1609 (§ 35). Grants of the land had been made to companies by Virginia before 1750, and, when the French began building forts south of Lake Erie, Deputy Governor Dinwiddie of Virginia sent George Washington, then a stalwart youth of twenty-one, to warn the French that they were trespassers.

French forts and Virginia land grants.

Hart, *Contemporaries*, II, Nos. 123–124.

Acting on Washington's report, a force was dispatched the next spring (1754), to occupy the rocky promontory at the junction of the Allegheny and the Monongahela Rivers, which was the real "gateway of the West." Before their arrival the French descended the Allegheny in force, drove away the traders who had a post at that point, and built a strong fort that they called Duquesne. A scouting party from this fort was sent to watch the movements of the vanguard of the Virginia detachment under Washington and was attacked by him, all of the Frenchmen being killed or captured. Of course this was an act of war, but both France and England desired to maintain peace as long as possible, and it was two years before war was declared, although waged during the interval in America and India. After the first skirmish Washington was obliged to fall back, but later was himself captured with all of his troops by a French force much larger than his own.

Collision between the French and Washington.

Parkman, *Struggle for a Continent*, 333–337.

Fiske, *New France and New England*, 269–276.

Thwaites, *France in America*, 157–168.

91. The Situation in America and in Europe. — That an actual battle between armed forces of the two countries did not lead at once to a break in their friendly relations was due to the state of European politics. The treaty of Aix-la-Chapelle had seated Maria Theresa firmly upon the

Complications of European politics.

Hassell, *Balance of Power*, 224–240.

throne of Austria, after nearly a decade of fighting. So anxious was the whole of Europe for a respite, that not even the struggles between France and England in India, which had continued after war ceased in Europe, proved sufficient cause for an open renewal of hostilities. But when affairs reached a crisis in India; when Austria and France united for the dismemberment of Prussia, with whom England was in sympathy; when French and English vessels were scouring the seas for the merchantmen of the other; and when a half-dozen armies were actually fighting for America, the facts could no longer be ignored, and war was declared (1756). This "Seven Years' War," as it is called in European history, exerted a greater influence on the destinies of both France and England than almost any other war in their history. The phase of it in which we are most interested, the contest in America, best known as the "Old French and Indian War," decided the future of half a continent.

Comparison of the combatants in America.

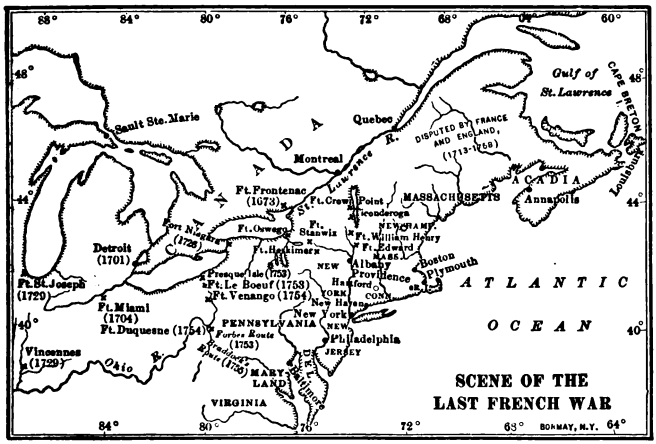
Parkman, *Struggle for a Continent*, 314–328.

For the first time both England and France were almost as much interested in the war outside of Europe as in the war on the continent, and each gave to her colonies all the forces that she could spare. In America the resources of the contestants were far from equal. The population of the English colonies was nearly fifteen times as large as that of the French provinces. On the other hand there were two highly centralized French provinces, in which a semi-military government could bring every able-bodied man into the field at short notice, and fourteen disconnected British colonies more or less jealous of one another, and practically without experience in acting together. Nothing but a great common danger could make the English colonies forget their differences, and the distrust shown by the assemblies toward their governors made them unwilling to vote men and supplies for an army which might be directed by the governors.

Avenues of English attack.

As the strength of the French was greatly disproportionate to the territory that they held, it was natural for them to await the attack of the English. The English in the mean-

time prepared for invasion along four principal avenues. First, they followed the seacoast and the St. Lawrence, using Boston and Halifax as the bases of operations. Then came the Champlain route, and the one through the Mohawk valley and Lake Ontario. Last of all was that leading straight to the ground especially in dispute by way of Fort Duquesne.



92. The First Period of the War (1754–1757).—In order to secure the coöperation of the Indians west from Lake Champlain, the French had made repeated efforts to gain the friendship of the various tribes. So great was their success that even the Six Nations,[1] which had remained neutral during the third intercolonial war, were brought under French influence. To counteract this impending danger, a congress was called to meet at Albany, New York (1754), for the purpose of renewing treaties with the Iroquois. The Six Nations were persuaded easily not to cast in their lot with the French in the conflict that had begun already, but the congress proceeded to adopt a remarkable plan of military union for the colonies, which had

The Iroquois and the Albany Congress (1754).

Hart, *Contemporaries*, II, No. 125.

Thwaites, *France in America*, 168–172.

[1] The Tuscaroras had joined the Five Nations in 1715.

Larned (ed.), *Ready Ref.*, V, 3175–3178.

been proposed by Benjamin Franklin of Pennsylvania. It contemplated a president general appointed by the English king, who was to be commander in chief of the colonial army, and an assembly which was to have charge of all financial matters. This plan was disapproved in England as too democratic, and in the colonies because it centered too much power in the hands of a royal representative.

French victories (1755–1757).

Hart, *Contemporaries*, II, Nos. 126–127.

Parkman, *Struggle for a Continent*, 343–355.

The first real campaign of the war was that of Braddock, who attempted with a force of provincials and regulars to capture Fort Duquesne (1755). His overwhelming defeat was all the more humiliating because of the numerical inferiority of the French and Indians. The same year occurred the expulsion of the Acadians, a cruel act, justified on the ground of political and military necessity. While the English commanders remained inactive the next two years or wasted their time in vain demonstrations against the great fortress of Louisburg, the French general, Montcalm, gained absolute control of Lakes Ontario and Champlain. The first period of the war had revealed the utter incapacity of most of the English commanders, while an almost uninterrupted series of French victories had extended still further the limits of the vast territory claimed by France.

Campaigns of 1758.

93. The Second Period of the War (1758–1760).—When William Pitt became prime minister of England (1757) the tide turned. He immediately formed plans for the active prosecution of the war by sending to America a still larger number of troops, by arousing the colonists to active cooperation with the regular army, and by appointing competent commanders. An expedition was fitted out to follow each route. Louisburg, Frontenac, and Fort Duquesne fell into the hands of the English, the first after a siege that was severe though short. The French line would have been cut up even more had it not been for the remoteness of Niagara and the presence of a skillful leader, Marquis de Montcalm, at Ticonderoga. With his departure to defend

Quebec the next season (1759), Lake Champlain too became English.

Capture of Quebec (1759).

The great expedition of the year, and in fact of the war, was that against the city of Quebec. Occupying commanding heights that were directly approachable from one side only, with mighty fortifications against which artillery thundered in vain, defended by a large army under the command of the ablest French general, Quebec seemed impregnable. For the capture of the city a fleet and an army were dispatched early in 1759 under James Wolfe, whose diseased frame housed an indomitable spirit. After months of fruitless siege Wolfe was able to lead one half of his army by night to the plains of Abraham on the unprotected side of the city. Montcalm gave battle, in which both commanders were killed, and a few days later the city surrendered. This glorious victory left to the French only Montreal, which was captured the next year, and the territory in the West. It really settled the fate of the French empire on the continent of North America. John Fiske believed that "the triumph of Wolfe marks the greatest turning point as yet discernible in modern history."

WILLIAM PITT

Fiske, *New France and New England*, 349–359.

94. The Peace of Paris (1763). — For nearly three years after war ceased in America, the two countries continued the great conflict elsewhere. During this interval Spain formed an alliance with France and assisted her in

The situation in 1762.

the contest. But England continued to gain victories. She became mistress of the important island of Guadaloupe, as well as most of the other French possessions in the West Indies. Havana and part of Florida had fallen into her hands. As she had been the acknowledged ruler of India after the battle of Plassey (1757), she was not to be satisfied with the territory for which she had fought, not even when Canada was included. The war had proved a colonial death struggle, from which France emerged with scarcely a trace of the magnificent possessions she had claimed at the beginning.

Provisions of the Treaty of Paris (1763).

MacDonald, *Charters*, No. 54.

Thwaites, *France in America*, 266–279.

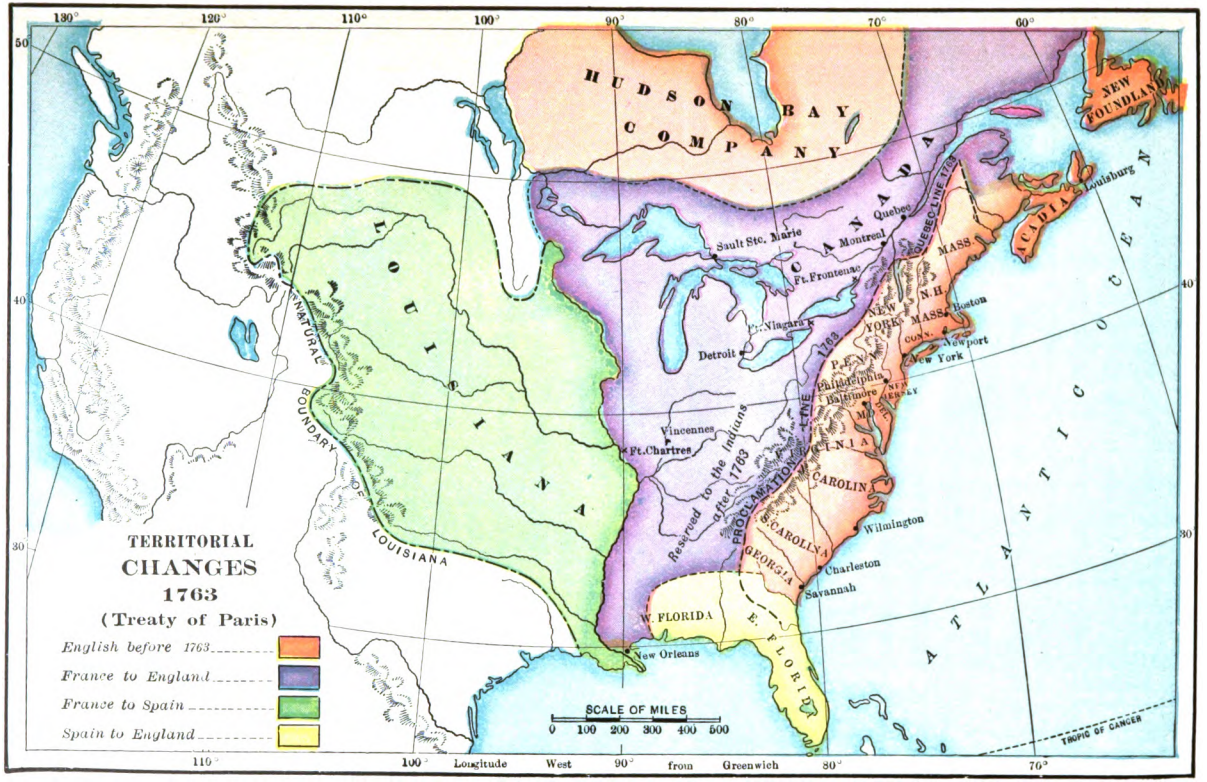
In the Treaty of Paris (1763) all of the claims of France to the territory east of the Mississippi, except the little island on which New Orleans stands, were transferred to England.[1] Only two little islets south of Newfoundland were kept for fishing stations, and they were never to be fortified. England's territory was rounded out by the exchange of Havana for the Spanish Floridas. Spain had already been compensated for her losses when France gave her the isle of Orleans and all Louisiana west of the Mississippi River.

Territory west of the Alleghany mountains.

MacDonald, *Charters*, No. 55.

Many of the Indian tribes of the West protested against the transfer of their territory to English rule and united under Pontiac in one of the greatest Indian uprisings in history. Attacks were made on all the western forts and settlements from the Virginia frontier to the Great Lakes. As the colonial assemblies neglected or refused to furnish troops, regulars were sent to relieve the besieged garrisons, but the insurrection was not broken completely until 1765. Meanwhile, in order to appease the western Indians, George III issued a proclamation (1763) reserving the lands beyond the Alleghanies for the Indians and prohibiting the colonies from making grants of lands or settlements in that region.

[1] France was allowed to retain either Guadaloupe or Canada. While Canada was poor and had been a source of continual expense, Guadaloupe was rich and had given substantial aid to the French treasury. So the chance of future dominion was sacrificed to present gain.


TERRITORIAL
CHANGES
1763
(Treaty of Paris)
English before 1763
France to England
France to Spain
Spain to England
HUDSON BAY COMPANY
CANADA
LOUISIANA
NEW FOUNDLAND
ACADIA
Louisburg
Quebec
Montreal
Sault Ste. Marie
Ft. Frontenac
Ft. Niagara
Detroit
Vincennes
Ft. Chartres
New Orleans
Philadelphia
Baltimore
Boston
Newport
New York
Wilmington
Charleston
Savannah
QUEBEC LINE 1763
PROCLAMATION LINE 1763
Reserved to the Indians after 1763
NATURAL BOUNDARY OF LOUISIANA
W. FLORIDA
E. FLORIDA
GEORGIA
S. CAROLINA
CAROLINA
VIRGINIA
MD.
DEL.
NEW JERSEY
P.E.N.N.
NEW YORK
CONN.
MASS.
N.H.
ATLANTIC OCEAN
TROPIC OF CANCER
SCALE OF MILES
0 100 200 300 400 500
Longitude West from Greenwich

Growth of French and English colonies.

95. Summary. — The French were not good colonizers and were hampered by the paternal attitude of their home government. Three colonies were founded in North America: Acadia south of the St. Lawrence, New France or Canada in the St. Lawrence basin, and Louisiana in the lower Mississippi basin. French explorers, traders, and priests penetrated the interior, but France planted no colonies inland. She maintained a hold on the interior, however, by connecting Canada with Louisiana by a chain of forts at strategic points. Her great rival meanwhile was neglecting the eleven colonies which had been planted on the Atlantic coast during the seventeenth century. But the colonies prospered, large numbers of immigrants being received from Ireland, Scotland, France, and Germany as well as England. Their gain during the three quarters of a century following the revolution of 1688 was not only in population, commerce, and wealth, but in culture, self-reliance, and a greater desire for self-government.

Intercolonial wars (1689–1763).

With the expulsion of James II from England in 1689 began the second "hundred years' war" between France and Great Britain. The first four conflicts in this series, lasting until 1763, involved the colonies of these nations in America, and were accompanied by all the horrors of border Indian warfare. The first substantial gain was secured in the Treaty of Utrecht (1713) by which England gained control of all Newfoundland, the territory drained into Hudson Bay, and Acadia with its ancient limits. The last war, begun in 1754, was a contest at the beginning for the control of the upper Ohio valley, but, when Pitt became prime minister in England, it became a struggle for supremacy in America which ended in the capture of Louisburg, Quebec, and all other important French strongholds. At the close of the war France transferred her territory west of the Mississippi to her ally, Spain, and surrendered to the English Canada and the eastern Mississippi basin. England rounded out her possessions by acquiring from Spain both Floridas.

TOPICS

1. CHAMPLAIN: Fiske, "New England and New France," pp. 39–42, 58–71, 80–93; Parkman, "Struggle for a Continent," pp. 83–124; Winsor (ed.), "America," V, pp. 103–130.

2. CAPTURE OF QUEBEC (1759): Thwaites, "France in America," pp. 239–254; Sloane, "French War and Revolution," pp. 78–98; Parkman, "Struggle for a Continent," pp. 382–446.

STUDIES

1. France under Henry IV. (Wakeman, "Ascendency of France," pp. 14–38.)

2. French search for a western passage. (Parkman, "Struggle for a Continent," pp. 107–113.)

3. Iroquois and the French.

4. Character of La Salle. (Parkman, "Struggle for a Continent," pp. 220–222.)

5. Early Indian attacks during the second intercolonial war. (Drake, "Border Wars of New England," 153–186.)

6. Acadia after 1713. (Parkman, "Montcalm and Wolfe," I, 90–127.)

7. How the people controlled their governors. (Fisher, "True American Revolution," pp. 21–32.)

8. England and France in the eighteenth century. (Parkman, "Struggle for a Continent," pp. 301–313.)

9. Early colonial plans of union. ("American History Leaflets," No. 14.)

10. The contest over India. (Woodward, "Expansion of the British Empire," pp. 196–205.)

11. Montcalm. (Parkman, "Montcalm and Wolfe," I, pp. 356–380.)

QUESTIONS

1. Show how political changes in France influenced the course of events in the French colonies. Was the colonial policy of France wise? (Consider political, commercial, and religious regulations.)

2. Make an outline on the French in America, giving (*a*) method used to gain possession of the country, (*b*) three classes that extended French sway, (*c*) extent of French possessions (1650, 1710, 1755), (*d*) causes of French success, (*e*) causes of French failure.

3. Make a table showing the chief events during the three periods, 1600–1660, 1660–1700, 1700–1763, under the following heads: England, New England, middle colonies, southern colonies, the French and English, events of continental Europe. (Keep events of the same date on same horizontal line.)

4. Compare the land claims of the two countries to the Ohio valley (1754). What had each done to explore or occupy that region before that date.

5. To what extent did the colonial wars create a spirit of unity among the colonies? Name several reasons why Franklin's plan of unity met with disapproval.

6. Was the expulsion of the Acadians necessary? Give reasons for your answer. Could it have been accomplished in a different way?

7. Why might Fiske have believed that "the triumph of Wolfe marks the greatest turning point as yet discernible in modern history"?

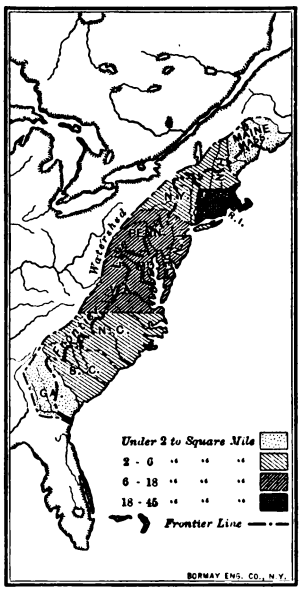
CHAPTER VI

COLONIAL CONDITIONS (1750)

POPULATION AND SOCIETY

Population of the sections.

96. Number of the People. — At the middle of the eighteenth century the population of the thirteen colonies that afterward united to form the United States was probably less than a million and a quarter, distributed fairly evenly between the three sections, New England, the Middle colonies, and the South. The most populous of all the colonies was Virginia, with Massachusetts and Pennsylvania occupying second and third places.



DENSITY OF POPULATION (1750)

Race elements of the population.

With the exception of about three hundred thousand negroes all of the inhabitants were white, but perhaps not more than three fourths of these were of English descent. The New England colonies were settled almost exclusively by English Puritans and Virginia had few white inhabitants in the eastern part who were not English. A large percentage were of that sturdy yeoman stock which has been the backbone of the English race for several centuries. A few came from the higher social ranks but some were the dregs of English society. Among the non-English peoples,

Thwaites, *Colonies*, 97, 180–181, 220–222.

Greene, *Provincial America*, 228–236.

Lodge, *Eng. Colonies*, 66, 227–229, 406–409.

the Scotch-Irish predominated, large numbers of that intense and intelligent race having emigrated from the north of Ireland during the first half of the eighteenth century. Most of these Scotch-Irish settled in the interior, along the foothills of Pennsylvania and the Carolinas particularly. Aside from the English Puritans, this race has furnished the largest number and most influential of our public men. Many Huguenot families emigrated to America after the revocation of the Edict of Nantes in 1685. A larger proportion of these desirable citizens settled in South Carolina than in any other colony. In the middle colonies there was a larger number of foreigners than elsewhere, for not only were the Scotch and French numerous in that section, but there were also the original Dutch and Swedish settlers, besides a great number of German settlers who are known best as "Pennsylvania Dutch." Probably one quarter of all the colonists were of nationalities other than English.

Social classes.

97. Classes of Society. — In all the colonies there was a marked distinction between the social classes, least pronounced in Pennsylvania and New England, most noticeable in South Carolina. In the North, the aristocracy was one based to a great extent on family, but men often attained social standing by exceptional learning or unusual business success. In the South, family and the possession of landed estates counted for most. The middle class of independent farmers or merchants was largest in New England, for in that section there were few dependents and practically no slaves. In Pennsylvania also the middle class was very numerous, although there was the greatest difference between the prosperous farmer of the eastern valleys and the rough ignorant frontiersman of the interior. In most of the other colonies the middle class was comparatively small.

Thwaites, *Colonies*, §§ 42, 93.

Lodge, *Eng. Colonies*, 71–73, 327–329, 445–448.

Character of the people.

As a rule these people of the colonies were rough, kind-hearted, industrious, and frugal. Their manners were often crude, and their ideas on social and political subjects undeveloped, but their courage was never open to question, and their love of liberty unquenchable. Although they

Wilson, *Washington*.

drank overmuch and often engaged in pastimes that do not appeal to a more highly organized people, they rarely had distorted views of right and wrong.

Two kinds of indented servants.

98. Indented Servants. — There existed in all of the English provinces a class of white servants who were bound to their masters for a term of years. Of these there were two distinct kinds — one consisting of convicts who were sent to America to serve their sentences, and the other "indented" servants who bound themselves to work for a period of five years, usually, in payment of their passage to the new world. Many of those belonging to the second class were worthy, hardworking, but unfortunate individuals who secured farms of their own after the expiration of their terms of service, and became valuable citizens. The majority of the "indented" servants, however, were indolent and shiftless, so that an immense number of ne'er-do-wells were imposed on the colonies, especially from New York to North Carolina. Still more burdensome were the released convicts whose lawlessness and viciousness were a menace to the peace and order of the colonies.

Andrews, *Col. Self-Gov't*, 290–293.

Lodge, *Eng. Colonies*, 69–71, 125–126.

Eggleston, in *Century*, XXVIII (1884), 853–856.

Treatment of indented servants.

During the terms of service these servants were controlled absolutely and often treated harshly by their masters. Attempts to escape were punished severely, and added to the time of servitude. In some colonies a second attempt was punishable by branding on the cheek and a third attempt by death if desired by the master. Frequently the condition of these servants was much better than might be expected, comparing favorably with that of farm hands in England. Sometimes convicts who were political exiles occupied clerical or business positions of importance.

Eggleston, in *Century*, XXVIII (1884), 856–858.

Blacks in the North and the South.

99. Slavery. — African slavery existed in New Netherland and in the South almost from the beginning. It never attained prominence in New England, for the occupations of the people and later a growing sentiment against human bondage prevented its development. The few slaves, as in most of the other northern colonies, were house servants who were treated usually with a great deal of consideration.

From Pennsylvania south, the blacks were, of course, very much more numerous, in Virginia nearly equaling the whites in number, and in South Carolina forming about three fifths of the population. All of the menial domestic duties were performed by slaves, but in Maryland and Virginia most of the blacks were employed as field hands on the large tobacco plantations, while in the extreme South the work in the rice fields was done by bands of fierce, ignorant slaves, under cruel overseers.

Coman, *Industrial Hist.*, 43–45.

During the seventeenth century white servants were preferred to African slaves, in almost all of the colonies, and the laws regarding slaves were comparatively lenient. Later, with the development of slavery and attempted insurrections, laws of great severity were passed. Slaves were not allowed to leave their plantations without permission and might be put to death if they attempted to escape or injured their masters. Meetings of slaves were forbidden and their quarters were searched frequently for hidden arms. Intermarriage between whites and blacks was forbidden under very heavy penalties. Many legal obstacles were placed in the way of emancipation. These laws were not enforced in Maryland and Virginia, for most of the blacks in those colonies were native born, living their entire lives on a single plantation, and consequently known personally to the master and mistress. As a rule they were well fed, well clothed, and treated humanely.

Laws regarding slaves.

Eggleston, in *Century*, XXVIII (1884), 861–865.

Lodge, *Eng. Colonies*, 67–69.

In the South, on the contrary, there was little difference between the letter and the spirit of the law. Many of the blacks were barbarous Africans, trapped by slave dealers and brought to America by Spanish or New England slave traders. On the rice or indigo plantations little attempt was made to civilize them. Slaves were cheap and their labor so profitable that it was more economical to work them hard and buy new slaves when they were worn out than to spare them. Small wonder was it that the badly treated blacks hated their masters and overseers and were kept in subjection by an iron rule.

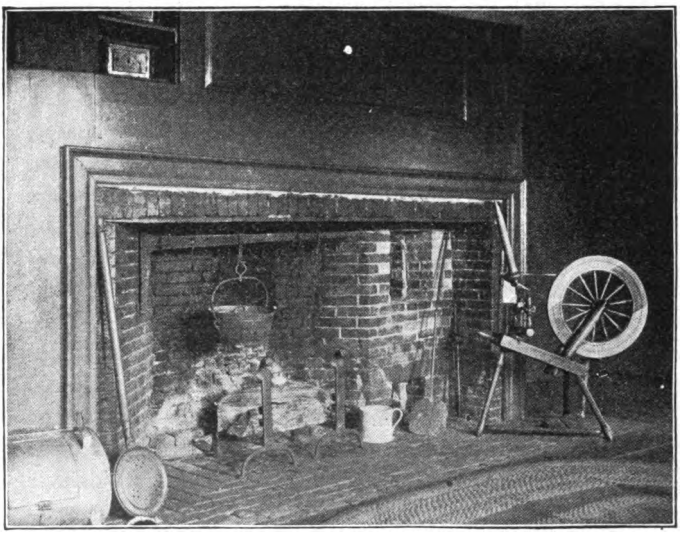
Enforcement of slave laws in the extreme South.

Lodge, *Eng. Colonies*, 181–183.

The cities.

Eggleston, in *Century*, XXIX (1885), 873–881.

100. Colonial Life. — Although nearly all of the people lived within one hundred miles of the seacoast, there were only four places that deserved to be called cities — Boston, Philadelphia, New York, and Charleston — and comparatively few large towns. Boston and New York were the centers of a thriving commerce. In Charleston lived most of the planters of South Carolina who found life unendur-



A COLONIAL KITCHEN

Lodge, *Eng. Colonies*, 103, 237–240, 258–262, 333–337, 451–461.

able on the hot, swampy plantations. These cities and some of the towns were compact little burgs, not overclean, with narrow winding streets — except Philadelphia — numerous small shops, and well-built houses usually of brick and stone. Few of the inhabitants were wealthy, but the majority were in fair circumstances. Few of the streets were patrolled or lighted at night, there was no uniform water supply or proper sanitation. Most of the houses had several balconies, and were backed if not surrounded by attractive gardens. Some of them were comfortably furnished with chairs, tables, and draperies purchased abroad.

In the country the log cabins which had been the rule everywhere in the early days were to be found only on the frontier or in the poorer districts. With the advent of the sawmill, they had been replaced by frame houses of several rooms which were rude structures tied together with wooden pins, for iron was scarce. The doors were hung on leather hinges and fortunate indeed was the farmer who substituted glass brought from England for the oiled paper which was

Life in the country.

Earle, *Home Life in Colonial Days*, 4–16, 22–27, 52–75.

A Colonial Hall

almost universal outside of the towns. In most of the farmhouses the spacious kitchen was the most attractive room. At one end was a great fireplace with large pots and kettles suspended from a horizontal rod — for stoves were practically unknown in 1750. There was a large dining-table and a few rude chairs or benches. Around the glowing fire the family gathered at night, and the kitchen was frequently the scene of jolly neighborhood gatherings. The loneliness of country life was relieved by occasional house raisings and by frequent quilting bees and corn huskings.

Lodge, *Eng. Colonies*, 76–82, 248–252, 329–331, 448–451.

In a few districts in rural New England, along the Hudson, and from the Delaware to the Carolina border, the country homes of the landed gentry were very fine examples

Country homes of the gentry.

of the beautiful type of architecture which we call colonial. These were seen at their best on the broad tobacco plantations of Virginia. There the spacious "halls," ever open to visitors, with the numerous barns and other farm buildings and rows of slave cabins, formed miniature colonies in themselves.

Occupations

Difficulties in preparing the land.

Winsor (ed.), *America*, IV, Intro.

101. Agriculture. — Most of the colonists depended on agriculture for their support. At first each colony sought to raise simply the necessaries of life — a supply of food which would keep them from starving. Conditions were not especially favorable for agriculture at the beginning, because of the dense forests. The task of clearing the land was so arduous that the early settlers contented themselves with the Indian method of girdling the trees so that they died. Corn and pumpkins were then planted among the lifeless trunks. In New England, further difficulties were added by the stones with which the prehistoric glaciers had sown the land. The fight with the wilderness was long and intense.

Agricultural products and exports.

Coman, *Industrial Hist.*, 47–60.

Eggleston, in *Century*, XXVII (1884), 435–442.

In the northern colonies all of the farms were small, as the narrow valleys precluded cultivation on a large scale. Great care was necessary to insure even moderate crops, except in the valley of the Connecticut. There were very few communities in New England that raised articles for export. In the middle section a surplus supply of wheat was grown, so that wheat and flour were shipped to the West Indies and Europe. In Maryland and Virginia agriculture absorbed the entire attention of the people. This was due to the profitableness of the tobacco industry, for at different times the planters neglected food supplies in their mad desire to gain wealth by raising tobacco to be sold abroad. It was necessary to make laws compelling every planter to devote a certain area to corn. Even with this restraint, the over-production of tobacco caused a great decline in the price. After the passage of the Navigation Act, which

forbade the sending of tobacco to other countries than England, the price became still lower, but the raising of tobacco remained the chief source of wealth in those colonies until the revolution. South Carolina made a specialty of rice during the eighteenth century, and indigo was produced in large quantities after 1745. Some cotton also was grown in the low lands along the coast.

Restrictions on colonial trade

Coman, *Industrial Hist.*, 77–83.

102. Commerce and Shipping. — The colonies were dependent on England for many manufactured articles. At the beginning it was impossible to produce these things in America, and after 1660 the home government aimed to prohibit manufacturing in the colonies, at the same time compelling the colonists to purchase everything they needed from England rather than from her continental rivals. Since the commercial laws of England were not enforced strictly, the colonies enjoyed a large though legally forbidden trade with the West Indian possessions of France and Spain and with Holland, France, and other European countries.[1]

General exports and imports.

Coman, *Industrial Hist.*, 75–77.

From the northern ports a comparatively large trade was carried on, especially with England and the British West Indies. It is estimated that salted cod and mackerel worth £250,000 were exported annually from New England. Large quantities of lumber and dried fish were sent to the West Indies every year, where they were exchanged for molasses, from which was distilled rum that was in turn exported. Nevertheless, the imports of New England were four times as great as its exports. In Virginia and North Carolina, owing to the lack of towns and harbors, the skippers of the small sailing vessels ascended the numerous rivers of those colonies, exchanging their fine cloths and other articles at each plantation for the products of the country.

Ship building and shipping.

A large part of the shipping was in the hands of New Englanders, since the colonists were allowed by the navigation acts to trade on the same terms as native-born Englishmen. Shipbuilding had become an important indus-

[1] On the laws of trade, see §§ 119–121.

Wright, *Industrial Evolution of U. S.*, 28–42.

try in the northern colonies, as lumber was cheap, and the vessels built in the New England shipyards were superior to those constructed in Europe. The fisheries formed a training school of the best kind for a race of hardy, daring sailors who gained a reputation in later naval wars. Probably one half of the population in New England depended on the sea for a living.

Piracy.

Hart, *Contemporaries*, II, No. 85.

Commerce in colonial times was attended by dangers that no longer exist. There was always risk of capture by privateers of unfriendly nations. Pirates were numerous, successful, and often unpunished. At one time North Carolina harbored a great many, at another New York and Newport gained an unpleasant reputation for giving them aid. The government sought to suppress piracy, sending out privateers to capture them. Among those commissioned to destroy pirate ships was the notorious Captain Kidd, who turned pirate as soon as he was out of sight of land, but afterward suffered death for his crimes. In spite of harsh measures, regular commerce was not free from perils of this nature until comparatively late in the eighteenth century, and many passengers and crews were obliged to "walk the plank."

Colonial manufactures.

Coman, *Industrial Hist.*, 62, 72.

103. Industry and Labor. — The colonies were in no true sense manufacturing communities. A new country is not well adapted for those industries which require a large supply of raw materials and an abundance of labor. Because of the lack of laborers and the higher wages paid in America, it was cheaper to ship the raw materials to England and purchase the finished products from the mother country. Yet there was a large amount of manufacturing done in the colonies on a small scale. Practically all of the household furniture was made at home. Almost every family had its spinning wheel and hand loom. Few of the colonists used anything but the coarse "linen" made from the hemp and flax that they prepared, or dressed in anything but homespun woolen clothes, but the wealthier farmers or merchants imported their broadcloth and their

hats. The building of ships was undoubtedly the foremost industry of the colonies, three hundred and eighty-nine being constructed in a single year.[1] Many of these were built for English owners, or were sold abroad later with their cargoes.

Although the hours of labor were very long, and the wages paid, two or three shillings a day for skilled labor, seem ridiculously small, the laborer in the colonies was undoubtedly better paid and better treated than in any part of Europe. The agricultural laborer was free to sell his labor to the one who would pay the most for it, instead of being tied to a certain farm, as in most countries across the Atlantic. The man who wished to learn a trade served a shorter apprenticeship, and was freer in every way than a fellow workman in England. There were numerous attempts during colonial times to regulate the price of wages or of commodities, in the interest usually of those wealthier classes which controlled the government, but these proved ineffective.

Condition of labor.

Wright, *Industrial Evolution*, 104–114.

104. Colonial Currency. —Most of the colonial business consisted simply in the exchange of one commodity for another. Corn, sheep, and cattle were the ordinary media of exchange in several colonies, the value of a sheep in shillings often being designated by law. This enabled debtors to pay their creditors in the poorest animals they owned. In Virginia and Maryland, tobacco was used as currency, articles being purchased and wages paid in tobacco.

Commodities as money.

As the people bought abroad more than they were able to sell it was impossible to secure or retain any large quantity of gold or silver. Most of the silver coins in circulation were dollars or smaller coins bearing a Spanish stamp, which had been obtained in trade with the West Indies. Almost every colony placed a different valuation on the Spanish dollar. In one colony it was considered worth five English shillings, in another six, in another eight. This naturally added confusion to the existing monetary difficulties.

Colonial coins.

Dewey, *Financial Hist. of U. S.*, 18–21.

[1] 1769, the only year for which full statistics are available.

Paper money.

Coman, *Industrial Hist.*, 83–86.

Hart, *Contemporaries*, II, Nos. 88, 89.

Massachusetts was the first colony to attempt a solution of the currency problem by issuing paper money, but other colonies were not slow to follow this apparently easy method of paying private and public debts.[1] New York and Pennsylvania were more careful than the other colonies to provide a safe system of redeeming this paper, thus escaping the evils of depreciation and business depression that followed in the other colonies. In several colonies so-called "banks" were allowed to issue paper money, with results disastrous to all but the promoters of the scheme. A large part of the paper money in circulation became worth less than fifteen per cent of its face value. Interference with business was so great that at length parliament forbade (1751) the issue of paper money in New England and (1763) extended the prohibition to all of the colonies.

Medicine, teaching, and the laws.

Greene, *Provincial America*, 317–319.

Lodge, *Eng. Colonies*, 232, 236–237.

105. The Professions. — Very few persons were trained carefully for professional work. There were in 1750 but four colleges, most of which had been founded with an idea of fitting men for the ministry, but there were no theological seminaries or other professional schools. Consequently few physicians were to be found in the colonies, and of these the majority were men of little learning and less skill. Medicine as practiced was neither an art nor a science. Most of the teachers were either clergymen who gave part of their attention to private classes or incompetent individuals who had failed of success in other occupations. Although few men devoted their attention exclusively to the law, most educated men in the colonies were versed in the law and were prepared to argue cases if necessary. Pennsylvania alone furnished many able lawyers for other colonies, and the saying "as smart as a Philadelphia lawyer" became almost a proverb.

The ministry.

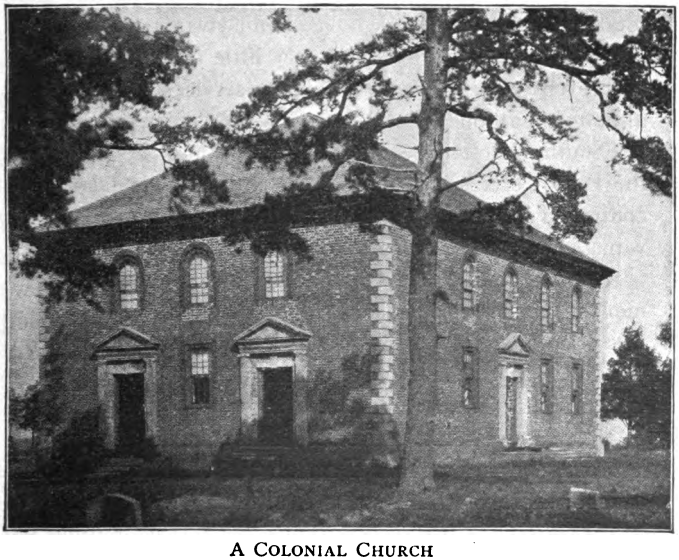
As more care was taken in preparing clergymen for their work than with the other professions, the Congregational colonial minister was the best educated, and probably the

[1] Before 1750, all of the colonies except Virginia and Georgia had issued bills of credit.

ablest man in his community. Looked up to for his character and learning, his influence enabled him to direct public opinion and settle private controversies. Many of the men appointed to livings in the Anglican church in America as in England were ignorant and corrupt, although the pastors of most independent churches and of regular parishes were men of high moral character. Lodge, *Eng. Colonies*, 423–425.

Miscellaneous Conditions

106. Colonial Churches. — In most of the colonies there was a church supported at public expense, the union of Puritan churches.



A Colonial Church

church and state being common. In the New England colonies, except Rhode Island, the Congregational church had been established by law, all other denominations being excluded so far as possible from erecting buildings or even holding services. The Sabbath was observed very rigidly. No one traveled except to church, cooking was avoided, and the day given over to religious worship. Attendance at Lodge, *Eng. Colonies*, 425–434.

church service was compulsory, absence being punished by fine or the stocks. The services were always long and sometimes tedious, the hourglass being turned once during the "long" prayer, and usually twice during the sermon. The straight-backed uncushioned seats did not make it easier for the attendants to listen to the long, dry arguments or fierce declamation on future punishment, especially in winter when the meeting houses were unheated and even footstoves were considered effeminate. Puritan austerity could scarcely devise harsher means of mortifying the flesh, or better tests for self-control and endurance.

Anglicans and dissenters.

Andrews, *Col. Self-Gov't*, 304–311. Eggleston, in *Century*, XXVI (1883), 107–116.

South of New England the Anglican church had been established by law except in Pennsylvania, but church attendance was irregular and very little attempt was made to prevent dissenters from holding services of their own, although Catholics had churches in Pennsylvania only. In South Carolina, western Virginia, and Pennsylvania, the Presbyterians were numerous, while Rhode Island was controlled by the Baptists. In Rhode Island and Pennsylvania alone was there anything like real religious liberty.

Superstition in custom and law.

Lodge, *Eng. Colonies*, 253–254, 434–436.

107. Superstition. — Superstition was much more common in the seventeenth century than it is at present. This was due not simply to the greater ignorance of that day, but particularly to the survival of beliefs in signs and in the existence of evil spirits, witches, the evil eye, and other evidences of Satan's control of mortals. These beliefs were much less common in England than on the continent, and less common here than in England, although the non-English immigrants were very superstitious.[1] This superstition not only influenced the habits of the people, but also affected their laws.

Only once did superstitious fear lead to a wholesale punishment of witches. This was in the terrible witchcraft

[1] There are a few isolated instances of witches being put to death in the colonies before 1692 and after the witchcraft episode. In England and on the continent hundreds of thousands of witches were condemned to death, five hundred being burned in a single year in the city of Geneva.

delusion at Salem, Massachusetts, in 1692. The epidemic started when a number of "afflicted children," under the morbid training of some ignorant colored servants, accused eccentric people in the village of having bewitched them. A special court was organized for the trial of these cases, and persons were condemned on absurd testimony by conservative judges like Samuel Sewell. Excitement ran so high that many people accused their enemies of witchcraft, and no one could condemn the so-called trials without danger of being considered a witch.[1] After several women of unusual standing and virtue had been accused, the eyes of the people were opened; not, however, until a number of persons had been put to death.

The Salem witchcraft delusion.

Greene, *Provincial America*, 25–29.

Fiske, *New France and New England.*

PILLORY

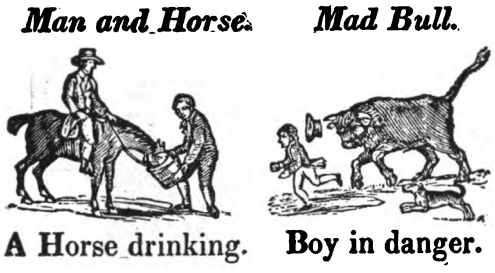
Methods of punishing offenders.

108. Crime. — The death penalty was used much more commonly in colonial times than at present.[2] In one colony, Pennsylvania, an attempt was made at the beginning to abolish it except for murder, but so great a departure from the customs of the times was abandoned after a few years. In Massa-

[1] A common way of deciding whether a woman was a witch was to cast her into the water. If she failed to sink, she was proved to be a witch.

[2] In England during the seventeenth century over one hundred crimes were punishable by death, the number increasing instead of diminishing during the eighteenth century. Frequently juries would acquit a man where the evidence showed him guilty, because they were unwilling to punish him by death for a minor offense.

chusetts, as we noticed (§ 73), Quakers who had been banished, but insisted on returning, were hanged. Yet executions were not common in colonial times, although so many offenses were punishable by death. In fact, in all well-settled communities, crime was by no means general. On many frontiers, and in a few older sections, there was considerable lawlessness. Imprisonment was


Man and Horse.
Mad Bull.
A Horse drinking.
Boy in danger.
Children should be careful not to provoke a bull, or get over into the field where one is. Alas! for that little boy that is running with all his might: see his hat flying behind him, and the mad bull close at his heels.

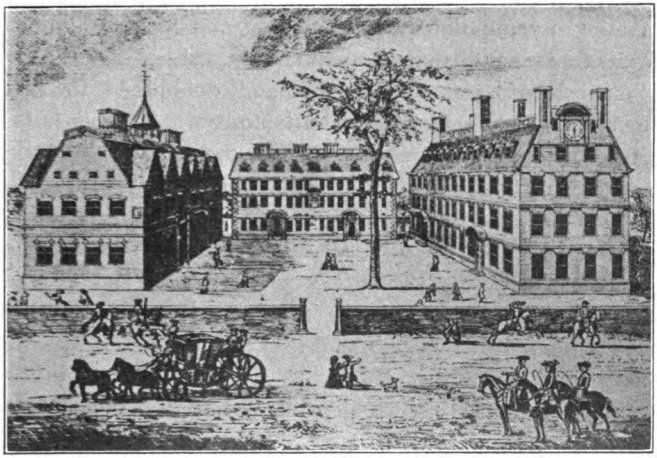
PAGE FROM AN OLD SCHOOL BOOK

used comparatively little as a punishment and the prisons were few in number and of a low order. In a conspicuous place in each town stood the whipping post, at which runaway slaves and criminals were lashed upon bare backs, and the stocks and pillory, in which offenders were locked for from one to four hours, the pain of their cramped position being augmented by the jeers of the spectators and the mud thrown by rowdies. Ducking stools were used occasionally for scolding wives even in the eighteenth century.

Grammar schools.

109. Education. — Outside of New England there was practically no public education, but east of the Hudson almost every town boasted a grammar school and practi-

cally every county had a Latin school which prepared students for college. To the Puritans, ability to read the Bible was a necessary part of the preparation for life. Except in parts of Rhode Island and on the Maine frontier no illiterate persons could be found in New England at the middle of the eighteenth century. The middle colonies paid comparatively little attention to education, although there were



First Harvard Hall Governor's Coach First Stoughton Massachusetts Hall

HARVARD COLLEGE

a few excellent private schools in New York, Philadelphia, and a few other large towns. South of Mason and Dixon's line education was systematically neglected. The oft-quoted comment of Governor Berkeley, in which he thanked God that there were no free schools or printing presses in Virginia, expressed the sentiment of the ruling class. Tutors were employed by some of the wealthier planters, and a few sons of prominent families in Virginia and South Carolina were sent to England for a college education.

Colonial colleges.

The most famous and the most influential of the early colleges was that established at Cambridge in 1636, and named after John Harvard; William and Mary college

Greene, *Provincial America*, 304–311.

was founded in Virginia, just before the close of the seventeenth century, and Yale College at New Haven in 1701. About the middle of the eighteenth century renewed interest in higher education led to the establishment of three colleges in the middle colonies: Kings (afterward Columbia) in New York, Princeton in New Jersey, and the University of Pennsylvania at Philadelphia. The latter, through the influence of Benjamin Franklin, developed rapidly, gaining a reputation for its standing and for the number of its courses and students within a few years.

Newspapers and the government.

110. **Newspapers.** — New England established its primacy in literary enterprise and attainments as in other lines, although it must be admitted that there was very little printing and less literature in the colonies before 1750. No newspaper was published in this country prior to 1704, when the *Boston News Letter* was started. At the middle of the century there were less than a dozen newspapers printed in all of the colonies, none being published daily. The attitude of the government toward the printers was by no means favorable. No books or pamphlets could be printed without a special license. When an attempt was made in Boston (1690) to start a newspaper called *Public Occurrences*, it was suppressed.

Wright, *Industrial Evolution*, 63–69.

The Zenger case (1736).

Real freedom of the press was not recognized until after the famous Zenger case had been decided in New York in 1736. Zenger was the publisher of the New York *Weekly Journal*. In a controversy between the governor of the colony, Cosby, and the president of the colonial council, Zenger supported the president, Van Dom, and was in consequence imprisoned and tried for libel. His lawyer, Andrew Hamilton of Philadelphia, argued that Zenger had published only facts and claimed that his client had the right to state the truth so long as it was not done maliciously. Influenced by his reasoning and eloquence, the jury found Zenger not guilty. This verdict had a wholesome influence not alone in New York, but throughout the colonies, in freeing the press from the tyranny of the government.

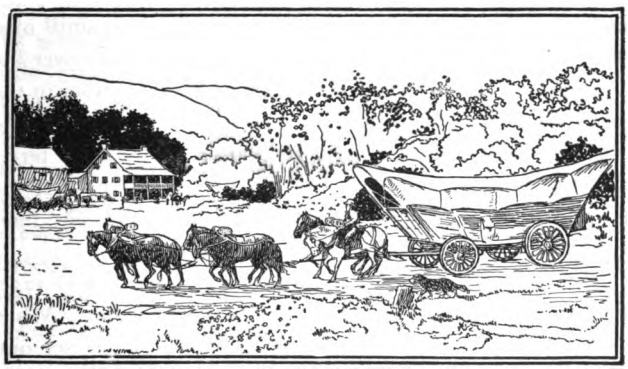
Hart, *Contemporaries*, II, No. 72.

111. **Travel.** — As most of the settlements were near the seacoast or on rivers, it was possible at first to travel from town to town or from plantation to plantation by water. Birch bark or "dugout" canoes were used on the rivers, sailing vessels on the ocean. As the colonies developed, travel by land became unavoidable. Until roads were constructed, Indian trails and bridle paths served the settlers, most of whom were obliged to journey on foot. Later the highways were improved, and horses were more numerous,

Travel in an early day.

Earle, *Home Life*, 325–332.

Hart, *Contemporaries*, II, No. 80.



CONESTOGA WAGON

so that comparatively few of the planters or their families ever traveled except by boat or on horseback. Roads were still few, however, and bridges almost unknown, the numerous rivers being forded at convenient points. Settlers in the North rode to church, usually with their wives on a pillion, or cushion, behind them.

The eighteenth century saw considerable improvement in the colonial highways and in the methods of travel. Roads connected all of the towns of importance but were few and poor in colonies with few villages. The use of two-wheeled chaises had replaced horseback riding to quite an extent in the North, although they were less common in Maryland, Virginia, and the Carolinas. Coaches were kept by most of the wealthy families, who put on considerable style with

Roads, coaches, and wagons, eighteenth century.

Eggleston, in *Century*, XXX (1885), 387–389.

Earle, *Home Life*, 335-344.

their liveried coachmen and outriders. The roads were primitive, however, and comparatively little used for the transportation of merchandise. Most articles were carried on packhorses, but in Pennsylvania commodious farm wagons, known as Conestoga wagons, were coming into extensive use.

Irregular stage lines.

Before 1750 there were no regular stage coaches in the colonies. Stages were run between certain towns regularly in the summer, and at irregular intervals throughout the year, connecting the larger cities. A journey by stage from Boston to New York took a week and was an exceedingly uncomfortable trip. From three in the morning until nine at night the lumbering vehicle jolted its passengers over the rough roads, leaving them a few hours' fitful slumber in the none too comfortable beds of the wayside taverns. The smaller streams were forded, the larger crossed by ferry, sometimes in detachments. When the stage stuck in the mud, the passengers were obliged to alight and put their shoulders to the wheel.

Mail service.

Earle, *Home Life*, 332-335.

There was no mail service worthy of the name before 1750. The mails were irregular, costly, and unsatisfactory. When a postrider had enough letters to justify a trip, he set out, carrying numerous parcels on his own account.[1] The mail was left at some public house to be hauled over by every comer until claimed and paid for by the person to whom it was addressed.

Democratic character of the local government.

Hart, *Formation of Union*, § 6.

Lee (ed.), *N. America*, VI, 66-72.

112. **Colonial Government.** — The governments of the American colonies were notable as being far more democratic than any others then in existence. This was true especially of the local governments in the northern and middle colonies. In New England every town was governed by a town meeting composed of all voters in that town, and by officials chosen by popular election in those town meetings. In New York most of the town officials were chosen by the people, although much of the work of governing was done by county officials appointed by the governor. Pennsylvania chose her own county officials. In Virginia and the

[1] Only letters could be sent by government post.

South there were no officials for districts smaller than the county and these officers were selected by the governor, so that the people had little share directly in their local government.

Central government of the colonies.

In every colony there was an assembly chosen by the voters. This assembly, together with a "council," made the laws subject to the approval of the governor. It also controlled almost exclusively the raising of money by taxation. The council was selected by the governor in all but three colonies,[1] and as the governor was himself chosen by the people in only two colonies, there was in theory very little popular colonial government, although in fact the people's influence over the governor was very great.[2] In two colonies the governors were selected by the proprietors, in two they were elected by the people, and for the others were appointed by the king. Courts of justice existed in every colony, but no judge of colonial times was chosen directly by the people, even in the two little democracies of Connecticut and Rhode Island.

Ashley, *Am. Gov't*, §§ 112–115.

Lee (ed.), *N. America*, VI, 57–66.

Suffrage laws.

The suffrage laws of the colonies, although narrow from our point of view, were exceedingly liberal when compared with those of foreign countries. Every landowner with property of a certain value in the North, or of a certain size in the South, was allowed to vote. It is true this excluded about ninety-five per cent of the population, but many who could not vote on colonial affairs were allowed to take part in local government.

Hart, *Contemporaries*, II, No. 61.

English common law in America.

113. **Colonial Law.** — Although the laws varied considerably from colony to colony, there was a uniformity that is remarkable considering the differences between the people and the occupations of the various sections. All of the colonies had transplanted the English system of common law with such modifications as the peculiar conditions in each colony required. Many of the laws made by the colonial legislatures were merely reënactments of English statutes. In fact, the laws were few

[1] See Connecticut, Rhode Island, and Massachusetts. [2] See § 87.

in comparison with the volume of state legislation at the present time.

Land laws of the colonies.

The system of land laws in use in America illustrates how the English system was modified to meet colonial needs. Land was considered the property of the king, the name real estate, or royal estate, emphasizing this fact. The king made grants of land to companies and individuals, so that in America the legislature of the charter colonies or the proprietor of the proprietary colonies had the right to regrant land, and in the royal colonies the governor, as the direct representative of the king, had the right. Grants were made to individuals with a lavishness that amounted to recklessness, for land was plentiful and cost the grantor little or nothing. Not only were large estates numerous, but the number of small landowners was very great, as most heads of families owned their own farms. Because so many people owned land, and because speculation in land was common even in colonial times, the slow and cumbersome English system of transferring land was altered so that it was easy to sell or buy real estate.

Coman, *Industrial Hist.*, 32–38.

Eggleston, in *Century*, XXVIII (1884), 848–852.

Inheritance laws.

The American inheritance laws were borrowed from England except in the Puritan and Quaker colonies. Elsewhere the estates or farms descended to the eldest son, because primogeniture was recognized in New York and the South. In New England, Pennsylvania, Delaware, and New Jersey a double share went to the eldest son, but the other children, including the daughters, had an equal share in the property of the father when he died without making a will.

TOPICS

COLONIAL MANUFACTURES: Coman, "Industrial History of the United States," pp. 62–72; Wright, "Industrial Evolution of the United States," pp. 23–60, 80–103; Beer, "Commercial Policy of England toward the American Colonies," 66–90.

COLONIAL PAPER MONEY: Dewey, "Financial History of the United States," pp. 21–30; White, "Money and Banking," 120–134; Sumner, "History of American Currency," 14–43; Bullock, "Monetary History of the United States," I, Chapter IV.

STUDIES

1. Conditions in Germany that led to emigration to America. (Bittinger, "Germans in Colonial Times," pp. 11–24.)

2. German redemptioners. (Bittinger, "Germans in Colonial Times," pp. 215–229.)

3. Maryland society in the seventeenth century. (Browne, "Maryland," pp. 157–183.)

4. Life in Virginia two centuries ago. (Fiske, "Old Virginia," II, pp. 174–269.)

5. Conditions in the English colonies (1688). (Andrews, "Colonial Self-Government," pp. 293–304.)

6. The true Captain Kidd. (Champlain, in *Harper's Magazine*, 106 (1902), pp. 27–36.)

7. Meat and drink in colonial times. (Earle, "Home Life in Colonial Days," pp. 142–165.)

8. Dress of the colonists. (Earle, "Home Life in Colonial Days," pp. 281–299; Eggleston, in *Century*, XXIX (1885), pp. 882–892.)

9. The colonial theater. (Eggleston, in *Century*, XXX (1885), pp. 403–407.)

10. Church and meeting house before the Revolution. (Eggleston in *Century*, XXXIII (1887), pp. 901–912.)

11. Sunday in the colonies. (Earle, "Home Life in Colonial Days," pp. 364–387.)

12. American prose (1701–1764). (Trent, "American Literature," pp. 98–130.)

13. The colonial governor. (Hart (ed.), "Contemporaries," Nos. 54–60.)

14. Local government in the southern colonies. (Fiske, "Civil Government," pp. 71–78.)

15. Middle colonies in colonial times. (Lee (ed.), "North America," VI, pp. 29–39.)

QUESTIONS

1. Show how physical conditions, climate, and rainfall affected slavery in the North, in Virginia, and in South Carolina. What advantage did the South derive from slavery?

2. To what extent were the colonies alike in 1750? Why did they remain isolated? What was the result of their separateness on their dealings with Great Britain?

3. What are the chief differences between the houses, food, dress, and manner of living in 1750 and to-day? Name several conveniences that are now considered necessaries which were unknown in 1750.

4. Explain why England and the colonies each took the course

they did in reference to paper money? Was paper money necessary? What influence did it have on the opening of new lands, commerce, on business in general?

5. Note the important changes, political, legal, social, and industrial, that have taken place in America in the last century and a half.

6. In what respect had the colonists more or less political liberty than the English? Why did the local governments of the colonies influence our later history more than the central colonial governments?

PART II

THE FORMATION OF A UNION (1763–1789)

CHAPTER VII

THE BEGINNINGS OF REVOLUTION (1763–1775)

ENGLISH KING

George III (1760–1820)

114. Colonial Self-Government and English Control before 1763. — The Seven Years' War, which added to Great Britain immense possessions in America and gained for her the control of India, may be said to mark the real beginning of the British empire and of a new colonial policy. Previously, the American colonies had been governed according to no uniform rule, but in the most diverse ways. As they had been founded at different times and under different conditions, each had developed a government more or less different from that of its neighbors, and had political traditions to which it was greatly attached. Owing to the condition of affairs before 1763, the colonies had been left much to their own devices, and the political changes under the Stuarts and the early Hanoverians had accordingly been favorable to colonial self-government. Practically all the contests between the governors and assemblies (§ 87) had resulted in victories for the latter, and the colonists had come to look upon Great Britain as the power which protected them from foreign nations, which passed laws for the regulation of external commerce, and which, in some cases, selected their administrative officials.

Leniency of English control.

Lecky, *Am. Revolution*, 38–42.

The Old Colonial Policy of England

Four possible methods of control.

115. General Methods of Colonial Control. — There were four ways in which the king or parliament might control the colonies: (I) by changing the internal government of any province; (II) by exercising a general oversight of legislation and the administration of laws within a colony; (III) by the regulation of colonial trade and industry; and (IV) by levying internal taxes. Not all of these means had been used by Great Britain previous to 1763, and in fact internal taxation had never been considered seriously. The few regulations that did exist were of a very mild description, and were enforced laxly.

Board of Trade and colonial secretary.

Larned (ed.), *Ready Ref.*, V. 3172.

As it was necessary to have some set of English officials who should give especial attention to American affairs, a board of commissioners was selected from among the king's private councillors.[1] This Board of Trade was required to correspond with the colonies so as to keep in touch with them and informed about colonial affairs, to hear appeals and complaints, and to set aside laws that were repugnant to the laws of England or distasteful to the crown. In addition there was a British secretary of foreign affairs, who devoted a large part of his attention to colonial matters. Most of the colonies also maintained in London agents who looked after their respective interests.

In order to learn the extent of the supervision exercised by England, especially through the Board of Trade, let us examine a little more in detail the regulations belonging under the first three heads enumerated above.

Control of charters.

Hart, *Contemporaries*, II, No. 48.

116. England's Interference with Colonial Government. — (I) To a certain extent the king was able to control most of his American provinces through the right to alter their governments. In 1763 seven of the colonies were under the direct supervision of the crown, *i.e.* were royal colonies, whereas only six retained their seventeenth-century char-

[1] The board was created in 1696, see § 79.

ters.[1] These charters were forfeitable to the crown if violated by the colonies, but could not be revoked except upon clear proof that the colonies had failed to keep their charter agreements with the king. Indeed, to modify an article of a charter which would interfere with a colonial right was to exercise a power that had been unused since the days of Andros and James II, and one that no wise monarch would lightly undertake.

Control in royal colonies.

The alteration of the government in a *royal* colony was a different matter. New instructions were issued to each governor and the installation of a new governor would seem to be a favorable opportunity for strengthening the king's authority in America. On the contrary, the appointment of a governor was almost invariably the signal for a renewed effort to increase legislative power at the expense of the executive. Fully occupied with their efforts to maintain their influence at home, the ministers of the first two Georges gave their governors but a half-hearted support and allowed the assemblies to encroach on the powers of the royal representatives, until in practically all of the colonies a serious attempt to curtail popular privileges had become a dangerous experiment.

Hart, *Contemporaries*, II, Nos. 53, 55.

Control through executive officials.

117. England's Control through Colonial Officials. — (II) Colonial administration and legislation could be controlled in part through the power of the crown to select for most of the colonies the governors who in turn might appoint the members of their councils, the judges, the county sheriffs, and many other officials. These governors not only selected persons for most of the appointive positions, but commanded the military forces of the colony, had charge of public lands, and pardoned offenders. The legislatures were convened and adjourned at their wish, and all bills passed by those bodies failed unless approved by the governors. Many of the governors and a few others were bankrupt English nobles, but the majority of the officials appointed by the governors

Hart, *Contemporaries*, II, Nos. 51, 65, 66.

[1] Not counting the continental colonies conquered from the French and Spanish, or the insular colonies.

belonged to the aristocracy of the colonies. Loyalty to the king and a unity of interest made these officeholders a class of no mean importance in upholding within the colonies the authority of the English government. The influence of these officials was at all times considerable because of the great power conferred upon them, although the assemblies frequently hampered their work by refusing to vote money for their salaries.

Colonial judges.

Howard, *Preliminaries of Revolution*, 85–87.

The judges, like the other appointed officials, were dependent on the assemblies for their salaries, but, as the judges were selected for life, and not during good behavior, as in England, this dependence was more apparent than real. To remove the judges entirely from the control of the people, the crown decreed in 1761 that they should be paid out of the king's land revenue. These instructions were resisted by the legislature of New York and disregarded by the governor of New Jersey. In both of these colonies a spirited contest ensued.

The "Parson's Cause" (1763).

Howard, *Revolution*, 90–101.

Tyler, *Henry*, 32–49.

118. Control of Colonial Legislation. — Although the people's representatives might manage the governor and his appointees, their laws might be set aside by the Board of Trade on the ground that they were unwise or contrary to the laws of England. A prominent instance of this use of the veto power is furnished in connection with the pay of the Virginia clergy. According to the law of that colony the clergymen were paid in tobacco, but, in 1755 and again in 1758, tobacco being very scarce, the Virginia legislature gave the people permission to discharge all debts payable in tobacco at the rate of two pence of currency for each pound. This made it possible for a person to pay his debts at a small percentage of their real amount. The parishes accordingly took advantage of the law in paying their pastors. On complaints of the clergymen, the Board of Trade set aside the law of 1758 and announced that thereafter no law which repealed or altered an existing colonial law should go into effect until actually approved by the Board — a process that would take months at least and often two or

three years. The clergy at once began suit for the extra pay due them. One case was argued (1763) for the people by a hitherto unknown lawyer, Patrick Henry. In an eloquent appeal, Henry pressed the claim that the king, "by annulling or disallowing acts of so salutory a nature, from being the father of his people, degenerated into a tyrant, and forfeits all rights to his subjects' obedience." Persuaded by his eloquence, the jury fixed the amount of the damages at *one penny.* This was one of the first conspicuous denials of the right of England to control colonial legislation through the power of vetoing bills.

Parliamentary laws regarding paper money.

Laws passed by the colonial legislatures might also be annulled because they were superseded by an order issued by the Board of Trade or by a law enacted in parliament for the benefit of the colonies. For example, in 1751, parliament prohibited the issuance of paper money in the four New England colonies, and in 1763 extended this prohibition to all of the colonies. Before those dates the people had insisted on the need of a cheap currency, and when the governors, in accordance with instructions from the Board of Trade, vetoed the paper money bills passed by the legislatures, the assemblies retaliated by refusing to vote money for necessary expenditures, thus forcing the governors to sign the bills. The parliamentary law prevented the issuance of more paper money, but was a source of considerable irritation to the colonists.

Dewey, *Financial Hist.*, § 11.

Law of 1660.

MacDonald, *Charters*, Nos. 23, 25.

Howard, *Revolution*, 50–54.

119. Early Acts of Trade (1660–1696).—(III) Although there had been laws relating to American trade before the Restoration (1660), the system of restrictions on colonial commerce really dates from the accession of Charles II. It was the purpose of this system to develop English trade and industry, and indirectly to aid those occupations of the colonies which did not interfere with similar interests in England. The first of these navigation acts, that of 1660, restricted colonial importations and exportations to ships built in Great Britain or the colonies, two thirds of whose crews were English subjects. This was in many ways an

Winsor (ed.), *America*, VI, 5–8.

advantage to the people of America, because it stimulated ship-building to such an extent that eventually more vessels were built in the northern colonies than in England. The law of 1660 also gave a list of articles which could be exported from the colonies to England alone, the most important of these "enumerated articles" being tobacco. Although American tobacco enjoyed a practical monopoly of the English markets after 1663, as the growth of tobacco in the British Isles was prohibited and very heavy duties were levied on foreign tobaccos, this limitation of its market greatly reduced the price in Virginia and was injurious to that colony.

Laws of 1663 and 1672.

The law of 1663 was a much less reasonable act, passed for the benefit of English exporters. The colonies were no longer allowed to import goods direct from the continental European countries, even in English vessels. All products of these nations needed in America must first pass through the hands of English merchants, who shipped them to the colonies after adding their own profits to the original cost. The British government soon found that these acts of trade were being evaded by the shipment of enumerated articles to colonies in which they could not be produced, and exportation from ports of the latter direct to continental Europe, from which goods were invariably brought back. In 1672, therefore, a law was passed by parliament forbidding free trade between the colonies in the enumerated articles by levying duties on intercolonial trade at the place of export.

MacDonald, *Charters*, Nos. 28, 34.

Andrews, *Col. Self-Gov't*, 19–21.

General character.

120. Later Restrictive Legislation (1696–1760). — After the Revolution of 1689 had settled the dispute between the Stuarts and parliament, more attention was given to colonial affairs. Few important alterations were made in the navigation acts, but the list of enumerated articles was lengthened and colonial manufacturing was in several instances prohibited for the benefit of British merchants or manufacturers. In order to make this policy seem less one-sided, bounties were offered for certain articles which England used but did not produce in sufficient quantities.

Howard, *Revolution*, 57–61.

One of the most important of the additions to the enu-

merated articles was that of rice. Before the colonists had been obliged to ship all of their rice to England, the rice of South Carolina had control of the European market, but the extra freight required upon reshipment from England destroyed the profit and practically ruined the rice plantations of the South. After thirty years the law was repealed partially so as to allow the exportation of rice to countries south of Cape Finisterre.

Rice as an enumerated article.

Restrictions on colonial manufactures were not numerous because manufacturing never reached an advanced state in the colonies, but those that existed were unjust and oppressive. To protect the wool growers and weavers of England, the exportation of colonial manufactures of wool to England or to other colonies was forbidden. For the benefit of English hat makers, no hats could be shipped from the colonies. None but the crudest forms of iron might be produced in America, although the colonists were encouraged to send large quantities of bar iron to the mother country.

Restrictions on manufactures.

Larned (ed.), *Ready Ref.*, V, 3173.

Coman, *Industrial Hist.*, 65–72.

Lee (ed.), *N. America*, VI, 83–88.

One of the most offensive acts of trade was passed for the benefit of the planters in the English West Indies, and required that the continental colonies should import no molasses from French or Spanish possessions unless they paid almost prohibitive duties. As New England used large quantities of molasses, principally in the manufacture of rum, it was unwilling to give the increased prices that the Jamaica planters were able to ask for their molasses, and systematically brought from the French and Spanish islands large quantities on which it paid no duties.

Molasses Act (1733).

MacDonald, *Charters*, No. 50.

Coman, *Industrial Hist.*, 82–83.

121. General Effect of the Commercial System. — Unpleasant as this system of restrictions certainly was to the colonists, it was much less arbitrary and oppressive than similar colonial regulations made by France and Spain for their American possessions. At that time colonies were expected to aid the mother country in disposing of her surplus products and in developing her resources or industries. Although the acts of parliament were often selfish and

Disadvantages and advantages to colonists.

Lecky, *Am. Revolution*, 42–46.

Larned (ed.), *Ready Ref.*, V. 3180–3181.

unjust, they did not prevent the development of the English provinces except along certain lines. Probably one half of the carrying trade between Great Britain and America was in colonial vessels. Most of the productions of the North could be exported to any part of the world, and the ships never returned empty. A profitable commerce was permitted with the French West Indies. Bounties were paid for masts, naval stores, indigo, and a few other articles sent to England. Duties at English ports of entry were often reduced for the benefit of American productions, and, in some cases, as that of tobacco, the colonists enjoyed a monopoly of the home market.

Smuggling.

Coman, *Industrial Hist.*, 82.

Of greater real significance than the favorable provisions of these laws of trade was the lax way in which they were administered. At first there were no custom houses, but even after these were established, the laws were not enforced. In spite of the provisions that the customs officials should be appointed by the governors or king, that they should not be dependent on the colonial assemblies for their salaries, and that revenue cases should be tried in special admiralty courts, the collectors of customs permitted the most open violation of the acts. The smugglers were sometimes permitted to land dutiable goods upon payment to the custom officials of an insignificant sum. During the administrations of Walpole and Newcastle in England, covering most of the reigns of George I and George II, there had been almost no interference with American commerce, and the expansion of colonial trade had been very great. Nevertheless the abuses of the system were often serious, and could not be overlooked entirely by the successors of Newcastle.

Otis's plea against the writs.

Amer. Hist., Leaflets, No. 33.

122. **The Writs of Assistance.** — It was especially necessary to prevent smuggling because the people of New England had been persistently furnishing supplies to the French in Canada during the Seven Years' War. The prime minister, William Pitt, ordered the customs officials to stop this practice, but they found it impossible with the means at

their command. The collectors of revenue at Boston therefore applied (1761) to the Superior Court of Massachusetts to grant them "writs of assistance" — general search warrants which did not name the accused person nor describe the goods to be seized. A protest made by the merchants of Boston against the issuance of these writs was argued for them by James Otis, who resigned his position as advocate general of the colony for that purpose. Otis not only claimed that the writs violated those rights to which the colonists were entitled "by the British constitution, as well as by the laws of nature, and their own provincial charters," but went so far as to deny that parliament had any right to pass an act of trade which levied a tax on the colonies. This argument created a profound impression. John Adams declared that it "breathed into this nation the breath of life." The court, however, held that the writs were not unconstitutional, but in order to remove possible doubt parliament in 1767 legalized the issuance of writs of assistance.

Tudor, *Otis*, 52–88.

Howard *Revolution*, 70–83.

Cambridge Mod. Hist., VII, 177–181.

JAMES OTIS

THE NEW BRITISH COLONIAL POLICY (1763–1767)

123. The Conditions in 1763. — As already stated, the close of the war with France and the transfer of Canada was the beginning of a new era. The enlargement of the British empire made the adoption of a new imperial policy inevitable, and this policy would almost of necessity include some means of reforming the irregularities in the older American colonies and the removal of the grossest abuses of colonial

Imperial policy and opposition.

Lecky, *Am. Revolution*, 1–12.

Lee (ed.), *N. America*, VI, 3–8.

administration. But however opportune colonial reform might be from this point of view, it was eminently unwise from two others. (1) It could not be carried into effect without arousing opposition in the colonies, as we can perceive easily from the preceding sections. The right of the English government to use writs of assistance had been questioned by Otis as early as 1761 and Henry only voiced the wish of large numbers of colonists when he claimed that no colonial law could be set aside by the imperial authorities. (2) As the chief danger to the colonies — the presence of the French in Canada — had been removed by the war, colonial opposition was likely to develop into a serious breach with the mother country. Discerning statesmen, especially among the French, did not hesitate to predict that the acquisition of Canada by Britain would mean the loss of her older colonies.

GEORGE III

George III and the "King's Friends."

Howard, *Revolution*, 25–32.

124. George III and his Ministers (1760–1782). — The character of the new king, George III, was favorable alike to a new policy and its unsuccessful administration. He was upright, sincere, and earnest, but without tact, narrow, and exceedingly obstinate. Coming to the throne (1760) with the determination that he should be the real ruler of Great Britain, he found it necessary to remove from power

the Whig aristocracy which had gained the ascendency during the reigns of his predecessors. To do this he gathered a party of adherents who were known as the "King's friends" and who were sufficiently servile to do his bidding. During the first decade of his reign, party lines were almost destroyed by this policy of the king. In consequence, at a time when "great wisdom, moderation, and tact were needed if healthy relations were to be established between England and her colonies, unfortunately these qualities were conspicuously absent from English councils."[1]

Fiske, *Am. Revolution*, I, 38–42.

In England from 1765 to 1783, a small minority were striving continually to prevent the king and his friends from reëstablishing the supremacy of the crown over parliament. At first they seemed to fail, for the ministry and parliament were the tools of the king. Their final success was due, in large measure, to the failure of the king and his friends to carry through their colonial policy in America.

Contest over supremacy of the king.

125. The Establishment of a Colonial Army (1763). — In 1763 the affairs of England were in charge of a cabinet whose chief was George Grenville, an industrious statesman and a careful financier, withal a firm believer in the supremacy of the empire. In accordance with plans formulated by the brilliant Charles Townshend and others of the king's friends as early as 1762, he first induced parliament to establish twenty regiments, with a total of ten thousand men, in America for the purpose of protecting the colonies from any possible uprising of the French or the Indians and of looking after imperial interests in the new world. The expense of this undertaking was at this time to be paid from the British treasury, with the understanding that it should be borne later in part by the colonies themselves.

Plans for establishing an army.

Winsor (ed.), *America*, VI, 15–17.

England had increased her debt during the war from £70,000,000 to £140,000,000 and was heavily burdened with taxes to pay the running expenses of the government and the interest on the debt. It seemed only just therefore that the colonies should pay at least a share of the cost of

Need of regular army.

Lecky, *Am. Revolution*, 57–59.

[1] Lecky (Woodburn, ed.), *American Revolution*, p. 104.

this army. To the ministry, an army appeared necessary as no dependence could be placed on the colonial militia except within a colony actually threatened with danger. This opinion was probably correct, for during the conspiracy of Pontiac (1763), when the whole western frontier was threatened, only a few colonies could be induced to furnish troops.

American dread of an army.

But the Americans, having voted money and men without stint during the war, opposed a military establishment for two reasons. They wished to avoid the expense, and they hated the thought of an English army in America. They believed that the militia could be called out at a moment's notice and served every purpose. An army was in their opinion much less necessary for their protection than before the late war, when raids by the French and Indians were constantly to be dreaded. In short the army itself, although located in the recently acquired provinces, was offensive as a possible means of repressing colonial liberty, and colonial distrust was intensified by the methods used for its payment.

Purpose, provisions, enforcement.

MacDonald, *Charters*, No. 56.

Coman, *Industrial Hist.*, 90–92.

Howard, *Revolution*, 102–120.

126. **The Sugar Act of 1764.** — Grenville intended to pay part of the expenses of this army by the more rigid enforcement of the laws of trade (§§ 119, 120), and later by a tax on the colonies. After investigating the subject of customs administration in America, he learned that the custom houses cost five times as much as the total revenue from duties. Accordingly he arranged first that all naval vessels of Great Britain should aid the customs officials in enforcing the unpopular navigation acts. Later he secured the passage of a new Sugar Act which reduced the duties on molasses imported from non-English colonies to three pence per gallon and on sugar to two and one half shillings per hundred pounds, hoping thus to discourage smuggling and secure large revenues. To counteract the opposition to this measure, a practical monopoly of the whale fisheries was given to American seamen, and bounties were offered for the cultivation of flax and hemp. The enforcement of the

act would have interfered greatly with the trade in fish which New England carried on with the West Indies, would have reduced the supply of specie which the shippers always brought back with them, and would have increased the price of liquors distilled from molasses so that the rum industry of the northern colonies would have suffered greatly. The opposition that was aroused in New England by these threatened dangers may be imagined easily.

Proposal and protest.

127. **The Stamp Act.** — Grenville relied much more on a stamp tax for the necessary revenue. In 1764 he proposed a tax similar to one then in use in England, giving the colonies until the next session of parliament to suggest a better means of raising the money. He was not left long in doubt as to the feelings of the colonists. Neither king nor parliament had previous to this time attempted to levy an internal colonial tax for any purpose, and the colonies claimed that one of the fundamental rights of Englishmen, to which they were entitled, was the exclusive right of the people's representatives to raise revenue through taxation. In one colony, Pennsylvania, the charter gave parliament the power of taxation, but this had never been exercised. Walpole had been wise enough to reject a proposal that he tax the colonies. He is reported to have said, "I have old England set against me by this measure, and do you think I will have new England, too?" But Grenville, more financier than statesman, was blind to the consequences of taxing America. Protests came in from several of the colonial assemblies, but this he expected. The colonial agents in London met the prime minister, and Benjamin Franklin requested him to make requisitions of the colonies for the sums needed. "Can you agree," asked Grenville, "on the proportions each colony should raise?" As the agents were unable to give à satisfactory reply, Grenville clung to his original plan.

Lecky, *Am. Revolution*, 67–73.

Howard, *Revolution*, 121–135.

Provisions.

The Stamp Act for the purpose of "defraying the expenses of defending, protecting, and securing" the colonies was passed by parliament practically without opposition in March,

MacDonald, *Charters*, No. 57.

Howard, *Revolution*, 135–139.

1765.[1] It required that all pamphlets, newspapers, deeds, wills, licenses, court papers, and many other legal documents should be printed or made out on stamped paper, sold by distributers appointed for the purpose. All cases arising under the act were to be tried in the admiralty courts without juries.

Quartering Act (1765).

A month later parliament passed the Quartering Act, which supplemented the Stamp Act as a measure for meeting military expenses, by compelling the colonists to supply the troops with quarters, and with bedding, cooking utensils, fire, candles, vinegar, salt, and beer.

MacDonald, *Charters*, No. 58.

PATRICK HENRY

Protests and mob violence.

128. Reception of the Stamp Act. — As the Stamp Act did not go into effect until November 1, there was at first comparatively little excitement. Late in May, however, Patrick Henry, who had won considerable local fame in the "Parsons Cause" (§ 118), introduced in the Virginia legislature several resolutions asserting that the general assembly, subject to the veto of the crown, had the exclusive right of taxation. These resolutions were adopted after a heated debate. Other assemblies voiced their opposition, but quiet reigned for two months, until the names of the stamp distributers were announced. Then the storm broke. Mob violence compelled most of the distributers to resign. In Boston the people destroyed the homes of Oliver, secretary of the province and distributer in chief, Hutchinson, the lieutenant governor, and of several others. Whenever

Hart, *Contemporaries*, II, No. 139.

Lecky, *Am. Revolution*, 79–84.

Howard, *Revolution*, 149–154.

[1] The vote in the House of Commons was 205 to 49.

ships arrived with stamps and stamped paper, these were seized or destroyed. In all of the northern colonies the younger element organized for active resistance under the name of the "Sons of Liberty," with the motto, "Liberty, Property, and no Stamps." When the first of November came there were neither stamps nor officials for their distribution in any colony. Newspapers, which were supposed to bear stamps, appeared with a death's head in the place left for stamps. Business was at a standstill. Even the governors and the courts soon realized that the law was a dead letter, and accordingly official documents were drawn up by government employees on ordinary paper, as no stamped paper could be obtained.

Declaration of Rights.

129. The Stamp Act Congress. — Meanwhile the colonies had been protesting against the Stamp Act in a much more dignified and lawful way. Early in June the Massachusetts legislature had asked the other colonies to meet in Congress and consider the best means of solving their difficulties. On October 7, 1765, delegates from nine colonies held sessions in New York and adopted a Declaration of Rights which denounced the Stamp Act as illegal. After asserting their allegiance to the king and "all due subordination to that august body, the parliament of Great Britain," they claimed for themselves the rights of Englishmen, including the one "that no taxes be imposed on them but with their own consent, given personally, or by their representatives." They asserted further "that the people of these colonies are not, and, from their local circumstances, cannot, be represented in the house of commons in Great Britain. That the only representatives of the people of these colonies are persons chosen therein by themselves, and that no taxes ever have been, or can be constitutionally imposed on them, but by their respective legislatures." They claimed also right of trial by jury and protested against the injustice of the acts of trade. Several days later the Congress approved petitions to the king and to the houses of parliament.

MacDonald, *Charters*, No. 59.

Howard, *Revolution*, 145–149, 154–157.

Frothingham, *Republic*, 184–189.

Larned (ed.), *Ready Ref.*, V, 3190–3191.

Reasons for repeal.

130. The Repeal of the Stamp Act. — The colonies further expressed their objections to the Stamp Act by refusing to order goods from England or pay their debts to English merchants, on the ground that the Stamp Act had interfered seriously with business. When parliament assembled in December, 1765, therefore, very great pressure was brought to bear on that body. The protests of the colonies were presented, the absolute impossibility of enforcing the act was emphasized, and the requests of the British merchants for its repeal were considered.

Debate on repeal.

Hart, *Contemporaries*, II, Nos. 142–144.

Howard, *Revolution*, 158–173.

Lecky, *Am. Revolution*, 84–94.

During the summer of 1765, the ministry of Grenville had been superseded by an opposition cabinet under Rockingham.[1] The majority of this cabinet favored repeal, but hesitated to weaken British authority in America by granting the colonial claims. They finally advocated repeal. When the question came up in parliament, the late prime minister, Grenville, argued strongly that if the colonists objected to internal taxation because they were not represented in parliament, they would soon refuse to pay external taxes in the form of navigation duties. Later they would deny the right of parliament to make any laws whatever for them. If England yields now, he said, she will never be able to regain her authority in America. The colonial position was upheld by Pitt, who had already asserted the right of the colonies to tax themselves. "I rejoice," he said, "that America has resisted." For several weeks the debates continued, and during this time Franklin was examined in the house of commons concerning the state of affairs in America. His answers probably had a very decisive influence because they showed the impossibility of enforcing a stamp act.

Declaratory act (1766).

When the Stamp Act was repealed in March, 1766, parliament passed the Declaratory Act which asserted that the colonies are "subordinate unto, and dependent upon the imperial crown and parliament of Great Britain, and

[1] The Stamp Act had nothing whatever to do with this change of ministries.

that the King's majesty, by and with the advice and consent of the lords spiritual and temporal, and commons of Great Britain, in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever."

MacDonald, *Charters*, No. 60.

131. **English and American Ideas of Representation.** — During the discussions on the Stamp Act in America and England, the differences between the English and American ideas of representation were brought out with considerable clearness. It will be well to examine the question because the Americans claimed that they were being taxed without representation, while the English denied that the Stamp Act provided "taxation without representation." At this time the house of commons was composed of over five hundred members from England and Wales, less than one hundred of whom were elected by the counties, the remainder being chosen from boroughs. These boroughs had gained centuries before the right to elect members and at least one half were at this time unimportant.[1] For this reason a large proportion of those composing the house of commons were appointed practically by a few hundred persons of wealth and influence. Most of the others were chosen by a very limited number of voters, for the franchise in the boroughs was very restricted, and in the counties, none but landowners — at this time a very select class — enjoyed the elective franchise. Moreover the new towns of the North were totally unrepresented.

Representation and suffrage in England.

According to the English view, every member of parliament represented the entire empire, the colonies as well as the British Isles. During the debate on repeal, this

Virtual representation.

[1] Several attempts were made soon after to abolish the rotten boroughs and reform the representation in parliament, but even in 1832, when the great Reform Bill was under discussion, the suggestion that representation should be territorial and according to population was scorned as an "American idea."

Lecky, *Am. Revolution*, 75–79.

view was stated by Mansfield, the able chief justice. There can be no doubt "that the inhabitants of the colonies are as much represented in parliament as the greatest part of the people of England are represented, among nine millions of whom there are eight who have no votes in electing members of parliament." He claimed that there was no difference between "virtual and actual representation," and that any attempt to make such distinction would alter the British constitution.

Territorial representation in America.

The American idea of representation was entirely different. The colonial assemblies were composed of representatives from towns, in the North, or counties, in the South. No territory was thought to be represented unless it actually elected and sent to the assemblies members chosen by popular vote. The franchise — although limited to landowners and very restricted according to our present notions — was much more liberal than that of England because in America most of the heads of families owned land.

Provisions.

132. The Townshend Acts, 1767. — For nearly a year the relations between England and the colonies were almost cordial. Then a new series of measures for colonial control were introduced by Charles Townshend, an ardent advocate of imperial supremacy and the ruling member of the new ministry to which that of Rockingham had given place. (1) The first of these laws provided for duties on glass, lead, painters' colors, paper, and tea. Townshend hoped, by avoiding any form of internal taxation, to gain a revenue without arousing colonial opposition.[1] (2) All revenue raised under this customs law was to be used for the purpose of paying the governors and judges in the colonies in order that they might be independent of the assemblies. In a day, therefore, the colonies lost a right for which many

Macdonald, *Charters*, Nos. 61–64.

[1] This act was connected with one reducing the land tax in England from four shillings to three shillings a pound. Merchants exporting tea to America were allowed for five years a drawback of the shilling a pound paid at English ports of entry, so that tea was sold cheaper in America than in England.

of them had contended a half century (§ 87). (3) For the proper enforcement of this act, writs of assistance were legalized. (4) A board of commissioners was appointed to supervise the administration of all navigation acts. (5) About the same time the assembly of New York was forbidden to make any laws until that province complied with the terms of the quartering act of 1765 (§ 127), which it hitherto had refused to do.

Cabinet changes (1767–1782).

In the fall of 1767 Townshend died, but the ministry maintained his policy, and the cabinet changes that took place were favorable to the full maintenance of imperial authority. In 1770 Lord North, an amiable and peace-loving man, but a willing tool of the king, became prime minister, a position which he held until the close of the Revolutionary War (1782).

Summary of the new colonial system.

During the years from 1763 to 1767 a new colonial system had been created. This was not so much the result of a definite fixed policy as the outgrowth of the spasmodic attempts on the part of the English ministers to make the colonies pay a part of the expenses incurred for their protection, with a general intent to strengthen British authority in America. Marked by an invasion of the rights which the colonists held most dear, this new colonial system must be considered most unwise. Possibly any attempt to reform the abuses of colonial administration would have ended as disastrously, but certainly care should have been taken to avoid antagonizing the colonies by selecting the least objectionable instead of the most offensive measures.

Disorder and Organized Opposition (1767–1775)

Change of colonial views.

133. The Reception of the Townshend Acts. — As might easily have been foreseen, the Townshend Acts were not acceptable to the colonists. The old distinction between external and internal taxation was now ignored; the colonists supported the view that all taxation for the benefit of England was unjust and unconstitutional. In most of the

Howard, *Revolution*, 185–192.

colonies organizations were suggested for the non-importation of British manufactures.

Circular letter of Massachusetts.

MacDonald, *Charters*, No. 65.

Fiske, *Am. Revolution*, I, 47–50.

Frothingham, *Republic*, 211–231.

The Massachusetts assembly, which was now for a number of years under the influence of that adroit leader, Samuel Adams, issued in February, 1768, a circular letter to the colonies, asking their coöperation in protesting against the Townshend acts, and sent a petition to the king and addresses to the people of Great Britain. The circular letter was so offensive to the British government that all of the governors were instructed to prevent their assemblies from giving it consideration and Massachusetts was ordered to rescind it. By a vote of ninety-two to seventeen the house of representatives in Massachusetts refused to rescind, and was immediately dissolved, as were the assemblies in several other colonies.

Boston "Massacre" (1770).

Lecky, *Am. Revolution*, 118, 126–131.

Howard, *Revolution*, 193–198, 202–205.

Fiske, *Am. Revolution*, I, 51–52, 57–59, 66–72.

134. Growing Disorder (1768–1770). — For the purpose of enforcing the Townshend Acts and other navigation laws in Massachusetts, troops were now sent to Boston. Before their arrival, the customs officials seized (1768) the sloop *Liberty* whose officers were accused of smuggling. The vessel was rescued by a mob and two additional regiments were ordered to Boston. Disputes arose regarding the quartering of these troops. In March, 1770, the citizens and some soldiers came to blows in the streets of Boston. The soldiers at length fired upon the citizens, killing five and wounding six others. A meeting was called at once, and at the request of Samuel Adams, Governor Hutchinson removed all the regiments to a fort in the harbor. Several of the soldiers were tried in a local court, being defended by John Adams and Josiah Quincy. All were acquitted but two.

Non-importation agreement (1769).

Howard, *Revolution*, 198–201.

The result of this trial is the more noteworthy because of the furore produced in 1769, after the *Liberty* affair, by the attempt of the British government to revive an old law of Henry VIII, according to which crimes committed outside of the realm should be tried in England. When the house of commons favored this, the Virginia burgesses

protested against it and persuaded the legislatures in several other colonies to do the same. The non-importation agreements were renewed in several colonies and this boycott exerted a considerable influence on the repeal of the Townshend revenue act (1770).

Coman, *Industrial Hist.*, 97–99.

Frothingham, *Republic*, 231–241.

135. The Committees of Correspondence (1772–1773).— For two or three years comparative quiet reigned in America.[1] In 1772, however, a British revenue cutter, the *Gaspee*, whose commander had been enforcing the navigation laws in Narragansett Bay with far more zeal than judgment, ran aground near Providence. The citizens of that town immediately seized and burned the ship. Enraged by this act the British government appointed a commission to investigate the *Gaspee* affair. According to a law passed early in 1772, any person who destroyed imperial property was guilty of treason. Under this law the offenders if captured were to be taken to England for trial.

Gaspee affair (1772).

Lecky, *Am. Revolution*, 136–138.

In Massachusetts, Samuel Adams had already organized a number of *town* committees of correspondence which were keeping alive the spirit of opposition. As soon as the instructions of the *Gaspee* commission became known, the Virginia house of burgesses adopted resolutions proposed by Thomas Jefferson, for the appointment of *colonial* committees of correspondence. Rhode Island, Connecticut, New Hampshire, Massachusetts, and South Carolina responded by appointing similar committees, the beginning of an intercolonial organization that was of the highest value in the perfection of a colonial union.

Town and colonial committees.

Hosmer, *S. Adams*, 196–206.

Fiske, *Am. Revolution*, I. 77–80.

Frothingham, *Republic*, 265–290.

136. The Tea Tax. — Influenced by the petitions of English merchants whose business had suffered from the non-importation agreements of 1767 and 1769, and by the lack of revenue produced by the Townshend act, parlia-

History (1770–1773).

[1] This was not true of North Carolina. Some frontiersmen called "regulators," who believed that justice had been denied to them, refused to pay taxes and attempted to gain their asserted rights by force of arms. They were finally defeated by Governor Tryon in the battle of the Alamance (1774).

Howard, *Revolution*, 266–269.

Cambridge Mod. Hist., VII, 157–159.

ment had in 1770 repealed all of the duties except that on tea. This was maintained for the purpose of asserting the right of parliament to tax the colonies, but it was valueless as a source of revenue, because the colonists either refrained from drinking tea or smuggled it from Holland. In 1773 the East India company, being in financial straits, asked parliament for permission to send tea direct to America, paying the colonial tax of three pence per pound only, and being relieved of the one shilling tax at English ports of entry. When this was granted, tea was immediately shipped to Boston, New York, Philadelphia, and Charleston.

Boston Tea Party (1773).

Hart, *Contemporaries*, II, No. 152.

Frothingham, *Republic*, 303–312.

Old South Leaflets, No. 68.

At Boston meetings were held to prevent the landing of the tea, and when the ships arrived, a number of patriots were placed on guard over the vessels. As the ships remained in the harbor and it was the intention to land the tea December 17, on the preceding evening a band of about fifty men dressed as Indians boarded both ships and threw the tea into the water. There was no tumult and no attempt to prevent this action. At Philadelphia, and later at New York, the vessels were sent back to England at once. The tea was landed at Charleston, only to be sold after the outbreak of war for the benefit of the patriots.

Punishment of Massachusetts.

MacDonald, *Charters*, Nos. 68–71.

Howard, *Revolution*, 272–279.

Lecky, *Am. Revolution*, 164–170.

137. **The Repressive Acts (1774).** — The rejoicing in America and the indignation in England on account of the Boston Tea Party were alike universal. On both sides of the water the people were becoming more united. Within a few months several measures were passed by parliament for the purpose of punishing Massachusetts, but with the result of uniting the colonies much more firmly. (1) The first of these was the Boston Port Bill which closed Boston harbor to commerce and made Marblehead the port of entry for the colony. (2) The most important of these acts was that altering the charter of Massachusetts. The council was in future to be chosen by the crown, and all local executive or judicial officers were to be selected by the governor or the highest judges. Sheriffs, themselves appointees of the governor, were to choose jurymen, and no

town meetings were to be held without the consent of the governor, except for the annual election of town officers. (3) All persons in government employ who were charged with murder were to be tried in another colony or in Great Britain. (4) Troops were quartered on the inhabitants of Boston. (5) By the new Quebec Act the boundaries of that province were extended to the Mississippi, on the west, and the Ohio on the south, and the allegiance of its inhabitants was strengthened by reviving the old French civil law and granting new privileges to the Catholic church.

Meeting.

Howard, *Revolution*, 280–287.

138. The First Continental Congress (1774). — This coercion of Massachusetts had been attempted in the belief that severe measures were needed and that the opposition to British authority was confined almost solely to that province. The falseness of this impression was soon evident. Sympathy and offers of help came to Boston from all quarters. Delegates for a continental Congress were chosen by the assemblies or committees of correspondence in all of the thirteen colonies except Georgia. On September 5, 1774, the Congress met at Philadelphia with fifty-three delegates present, among them the ablest of the American leaders.[1]

Wilson, *Am. People*, II, 193–199.

Work.

The Congress adopted a Declaration of Rights asserting that as the colonies are not, and cannot be, represented in parliament, "they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all

MacDonald, *Charters*, No. 72.

[1] These included John and Samuel Adams of Massachusetts, Roger Sherman of Connecticut, John Jay of New York, George Washington, Patrick Henry, Peyton Randolph, and Richard Henry Lee of Virginia, and John Rutledge of South Carolina.

Hart, *Contemporaries*, II, No. 153.

Howard, *Revolution*, 287–294.

cases of taxation and internal polity, subject alone to the negative of their sovereign, in such manner as has been heretofore used and accustomed." The Congress conceded, however, the right of parliament to regulate external trade if no duties were levied.

American Association.

MacDonald, *Charters*, No. 73.

Hart, *Contemporaries*, II, No. 154.

A little later the members of the Congress organized an "American Association," to carry out non-importation agreements. A committee was to be selected for each town which should supervise the action of all citizens and organize resistance to British domination. The union of the colonies was accomplished at last.

Concluding work.

Having drawn up a petition to the king and addresses to the colonists, to the Canadians, and to the people of Great Britain, the Congress made provision for another Congress to meet in May, 1775, and adjourned.

Continued policy of coercion.

139. **The Inevitableness of War.** — News of the opposition to the acts of parliament and warlike preparations in New England created a profound impression in Great Britain. With the exception of the small body of Whigs who had consistently supported the colonial position, the country was overwhelmingly in favor of punishing the refractory spirit among "our subjects in America." George III probably voiced the popular belief in his words, "I have not the smallest doubt, when once vigorous measures appear to be the only means left of bringing the Americans to a due submission to the mother country, that the colonies will submit." Parliament refused to consider the petitions of Congress to the king, repeatedly voted down concessive measures proposed by the Whigs, shut New England off from the fisheries, which had been an important source of revenue to the people, prohibited the New England colonies, and afterward most of the others, from trading with Great Britain or her other colonies, declared Massachusetts in rebellion, and voted six thousand additional men for suppressing this rebellion.

North's plan of conciliation.

Parliament was persuaded with difficulty to indorse Lord North's suggestions for conciliation. By the prime minister's

plan, England agreed to forego the taxation of America except by commercial duties, so long as each colony contributed a fixed amount satisfactory to parliament for the support of the army and colonial officials. At the same time, North informally suggested to Franklin that the English government might be willing to repeal the tea tax and the Boston Port Bill, but not the Massachusetts Government Act.

Lecky, *Am. Revolution*, 198–200.

Frothingham, *Republic*, 411–413.

Lord North's plan met with no favor in America, and his suggestions drew immediately the reply from Franklin: "The people of Massachusetts must suffer all the hazards and mischiefs of war, rather than admit the alterations of their charter and laws by parliament." Massachusetts had already held a provincial congress, which was a revolutionary body because it was not chosen according to the new government act, and had made careful preparations for defense by organizing the militia and gathering munitions of war. A few of the other colonies as well made ready for hostilities, and it was generally believed that war was inevitable, though little had been said on the subject, when, in March, 1775, Patrick Henry startled the people of the colonies by his public declaration, "We must fight! I repeat it, sir, we must fight! An appeal to arms, and to the God of hosts, is all that is left us."

Preparation for war.

Frothingham, *Republic*, 413–419.

American Eloquence, I, 18–23.

Winsor (ed.), *America*, VI, 114–122.

140. Summary. — Before 1763 the English government had done very little toward controlling her colonies in America. A few officials were appointed to represent Great Britain in the colonies. In a few instances colonial laws had been set aside and parliament had made special laws regulating the trade or industry of the American provinces, but this supervision or control did not interfere seriously with government by the people in most of the colonies. After 1763 the English statesmen desired to regulate American affairs by compelling the colonists to pay part of the expense incurred for their defense. First by the Sugar Act (1764) they aroused New England by interfering with business in that section. Then the Stamp Act brought all of the older colonies into direct opposition to the English government.

Contrast between the old colonial policy and the new.

Repeal of this act was followed by a milder method of taxation, by which the friends of the king sought to gain a more perfect control of American affairs.

The crisis precipitated.

Both the English and the colonists had gone too far now to withdraw easily. When the people of Boston protested against the attempt to enforce imperial control through the sale of tea, and the English government sought to punish the city of Boston and the colony of Massachusetts, the union of the colonies was assured. Unwise counsels overruled conciliatory plans, and feeling both in England and America became so bitter that a clash was avoidable only through the complete surrender of one side.

TOPICS

1. CHARACTER AND POLICY OF GEORGE III: Hart, "Contemporaries," II, No. 130; Fiske, "American Revolution," I, pp. 38–45; Lecky, "England in the Eighteenth Century," III, pp. 11–25; Trevelyan, "American Revolution," I, pp. 30–33, 85–90.

2. THE REPRESSIVE ACTS OF 1774: MacDonald, "Charters," Nos. 68–71; Frothingham, "Rise of the Republic," pp. 317–327, 344–358; Trevelyan, "American Revolution," I, pp. 175–203.

STUDIES

1. Union before 1750. (Frothingham, "Rise of the Republic," pp. 109–120.)

2. Otis's speech on the writs of assistance. (Johnston (Woodburn) eds. "American Eloquence," I, pp. 11–17.)

3. Chatham's speech on Taxation of America. ("British Orations," I, pp. 98–119.)

4. Mansfield's speech on Taxation and Representation. ("British Orations," I, pp. 150–171.)

5. Franklin's examination before the house of commons (1766). (Larned, "History for Ready Reference," V, pp. 3192–3201.)

6. Dickinson's Farmers Letters. (Tyler, "Literary History of American Revolution," I, pp. 234–239.)

7. The West during the period of 1767 to 1775. (Howard, "Preliminaries of the Revolution," pp. 222–241.)

8. The North Carolina regulators.

9. Lord Dunmore's War. (Roosevelt, "Winning of the West," I, Chapters VIII and IX.)

QUESTIONS

1. What was the European idea of a colony? (Thwaites, "Colonies," §§ 18–22). Compare with the Greek and the Roman ideas. Compare the English rule with Spanish rule (Moses, "Spanish Rule" pp. 17–26).

2. What were the chief political features of the old colonial system, in royal colonies? in other colonies? To what extent were the colonies actually governed by England through the different means enumerated in §§ 113–116?

3. What were the principal commercial features of the old colonial system? Was the system theoretically unjust? Was it oppressive in practice?

4. Why was a new colonial system adopted during the period 1763–1767? How was the Sugar Act of 1764 different from the earlier laws of trade, in its purpose and in the methods proposed for its enforcement?

5. Had the colonies a legal right to exemption from taxation by parliament? Explain your answer and state as fully as possible the American claim.

6. What provisions of the Townshend Acts violated American principles of government, and in what ways?

7. Did the English government have sufficient cause for passing the repressive acts of 1774? Which was the most offensive of the acts? Why? Why did they influence the action of the other colonies if they applied only to Massachusetts?

8. Compare the congresses of 1765, 1774, and 1775 as to reasons for which they were called, number of colonies represented, method of choosing delegates (see Howard, "Revolution," pp. 154, 282), degree of unity shown, work of the congress, and influence on permanent union. Make table.

9. What is a revolution? Show the difference between a social revolution and a political revolution? (Ashley, "American Federal State," § 36.) Is it sure that a "revolution is a successful rebellion"?

10. What was the fundamental cause of the revolution? Name the successive changes in British policy which led directly to separation from England, showing how each change marks an advance on the policy in force previously.

CHAPTER VIII

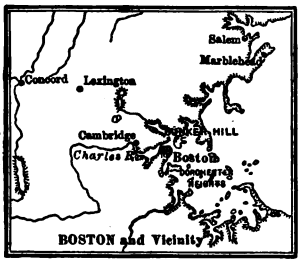
THE REVOLUTIONARY WAR (1775–1783)

REVOLT AND INDEPENDENCE

Lexington and Concord.

Fiske, *Am. Revolution*, I, 117–127.

141. Events around Boston (1775). — In the spring of 1775 General Gage, governor of Massachusetts, determined to capture the military stores which had been gathered at various points near Boston by the companies of militia, "minute men" as they were called. Early on the morning of April 19, eight hundred men were dispatched secretly to Concord, sixteen miles from Boston. But the Americans were on the alert and Paul Revere aroused the "minute men," about seventy of whom met the British vanguard at Lexington. Upon this company the regulars fired, killing seven — the first bloodshed of the war. Marching on to Concord the British seized the town and the bridge, at which a skirmish was fought, but most of the stores were removed, and finally the soldiers were obliged to retreat before the ever increasing number of militiamen. Although reënforced at Lexington, their retreat was humiliating and disastrous, as the "minute men" fired at them from behind every tree and fence. Within a short time, a force of fifteen hundred Americans had gathered around Boston.



Lodge, *Story of Rev.*, I, 25–52.

Hart, *Contemporaries*, II, No. 191.

Bunker Hill.

In order to protect Boston more adequately, General Gage decided to fortify the hills on Charlestown peninsula which commanded both the city and the harbor. Before this could be done, Colonel Prescott, with six cannon

and a force of about fifteen hundred, seized Breed's Hill on the night of June 16, 1775, and threw up earthworks. At daybreak the war vessels in the harbor began bombardment, and General Gage, ignoring the possibilities of cutting off the American retreat, ordered Howe to make a front attack with three thousand soldiers. When the British charged up the sides of the hill, the militiamen reserved their fire, their supply of ammunition being limited. A first time and a second the British line withdrew from the withering fire, but the Americans' ammunition was already giving out, and the third assault was successful. Fortunately the militiamen were able to withdraw in fair order though with considerable loss across Charlestown "neck." The British force lost over a thousand men, killed and wounded, and General Howe, who was soon after made commander in chief for America, ever after displayed particular fondness for flank attacks. The moral effect of this English victory was undoubtedly with the American side, for it showed the ability of raw troops to meet a much larger number of regulars, and was correspondingly encouraging to the colonists and disheartening to the British.

Lecky, *Am. Revolution*, 202–205.

Fiske, *Am. Revolution*, I, 136–146.

Carrington, *Battles*, 102–115.

142. **The War on the Northern Border (1775–1776).** — As soon as the news of Concord and Lexington reached the "Green Mountain Boys" in Vermont, they attacked and easily captured the important forts of Ticonderoga and Crown Point on Lake Champlain (May 10, 1775).

Ticonderoga.

Fiske, *Am. Revolution*, I, 129–132.

Later in the summer an invasion of Canada was planned. One expedition under Richard Montgomery proceeded up Lake Champlain, captured Montreal, and united before Quebec with a division under Benedict Arnold, which had forced its way, after almost inconceivable hardships, through the woods of Maine. An attack upon Quebec in a snowstorm, December 31, 1775, resulted in the death of Montgomery and consequent confusion and defeat. The failure of the expedition against Canada, much as success might have encouraged the colonists, was not an unmixed misfortune. With their imperfect military organization and lack

Invasion of Canada.

Fiske, *Am. Revolution*, I, 165–169.

Larned (ed.), *Ready Ref.*, V, 3228–3229.

of munitions of war the Americans were illy prepared to assume the offensive and could not afford to separate their forces. With the coming of summer, moreover, the energetic governor of Canada, Carleton, made a determined effort to gain control of Lake Champlain and recapture Ticonderoga and Crown Point. His plans were foiled by Arnold, who with skill and foresight as remarkable as his resources were limited, collected a fleet and delayed Carleton so that the doughty governor, victorious in a naval battle and yet baffled, was obliged to withdraw to Canada without capturing the forts.

Siege of Boston.

Van Tyne, *Revolution*, 42–49.

Lecky, *Am. Revolution*, 226–234.

Old South Leaflets, No. 86.

143. Change in the Theater of War (1776). — The summer and autumn of 1775 passed without any movement on the part of the British army in Boston which was now commanded by Howe. Washington, who had been appointed commander in chief through the influence of John Adams, maintained his lines about the city, although the terms of enlistment for his soldiers expired. He himself commented on the inactivity of the British. "It is not in the page of history, perhaps, to furnish a case like ours: to maintain a post within musket-shot of the enemy for six months together without powder, and at the same time to disband an army and recruit another within that distance, of twenty odd English regiments." But at length he was able to assume the offensive.

Capture of Boston.

Lodge, *Story of Rev.*, I, 110–117.

Carrington, *Battles*, 147–154.

During the winter of 1775–1776 many of the cannon captured at Ticonderoga were dragged over the snow to Boston. With these in his possession, Washington fortified Dorchester Heights, about two miles south of the city. Owing to a storm, Howe was unable to attack. Not daring to remain in Boston, he now evacuated that city, carrying his ten thousand soldiers and marines besides many loyalists to Nova Scotia.

War in the South (1776).

Part of this army, greatly reënforced, made an attack on New York during the middle of the summer (§ 154). Another part under Clinton, joining with a fleet from Ireland, sailed against Charleston, South Carolina. In view

of the large number of loyalists in the southern colonies, this seemed to be a wise move. Yet it failed. The fleet was much injured, and effectually repulsed by the batteries of Charleston harbor, June (1776), and after several weeks of inaction the British abandoned attacks upon the South until late in the war.

Lodge, *Story of Rev.*, I, 126–135. Carrington, *Battles*, 185–190.

144. The Second Continental Congress (1775–1776). — On the day that Ticonderoga was captured (May 10, 1775) the members of the second Continental Congress met in Philadelphia. As hostilities had begun already, the Congress did not devote itself to discussions only, as had its predecessors, but proceeded to act. Without great delay it organized a continental army, borrowed money, issued bills of credit, and drew up a second petition to the king. When news was received in October, 1775, that the king's answer to their petitions was a proclamation declaring them rebels and providing for the suppression of rebellion in America, Congress moved with much less caution. A navy was authorized and privateers fitted out, a committee was selected to correspond with other nations, the ports along the Atlantic were thrown open to the commerce of the world, reversing the policy of the navigation acts, and preparations were made for declaring the United States independent of Great Britain.

Acts of Congress (1775). Lecky, *Am. Revolution*, 205–209. Hart, *Contemporaries*, II, No. 185. Frothingham, *Republic*, 428–437, 450–451.

During the six years that elapsed before the completion of a confederation, the Continental Congress was the only central government existing in America. It was composed of delegates elected at first by assemblies, conventions, or committees of correspondence, but after 1776 by the state legislatures. At no time did it possess any legal authority for the exercise of the powers of sovereignty which it actually used. Such rights as it had were derived from the instructions given by the states to their delegates, the unquestioned need of a central government, and the hearty approval of, and public acquiescence in, the acts of Congress.

Authority of Congress.

145. The Movement toward Independence. — The majority of the members of Congress were unwilling to consider

Preliminary steps.

Hart, *Contemporaries*, II, No. 186.

Van Tyne, *Revolution*, 50–71.

Lodge, *Story of Rev.*, I, 146–155.

the question of independence from Great Britain, for the people of the United States dreaded separation. Memorials came from several patriotic organizations before the close of 1775, but they received scant attention until the king proclaimed the Americans to be rebels and news was received that several thousand Hessians had been hired to reduce the colonies to submission. Early in January, 1776, there appeared a pamphlet entitled *Common Sense*, written by an English immigrant, Thomas Paine, and emphasizing the necessity and the benefits of independence. At this time the sentiment in favor of separation was pronounced only in New England, while the middle states and the South looked with abhorrence on such an action. Gradually a change took place in the feelings of the people. They had gone too far to draw back. The king stubbornly refused concessions, and there was no alternative but complete submission or independence. Congress recognized this sooner than most of the people, and on May 10, 1776, urged the colonies to form state governments, adding five days later as justification for this step a resolution that the British government had withdrawn its protection and that the people must look to themselves.

Resolutions for independence.

Van Tyne, *Revolution*, 71–78.

Fiske, *Am. Revolution*, I, 183–192.

Frothingham, *Republic*, 513–532.

When this resolution became known, the legislatures of all but one of the colonies instructed their delegates to vote for a declaration of independence. Meanwhile, on June 7, Richard Henry Lee introduced his famous resolutions "that these united colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved," and "that a plan of confederation be prepared and transmitted to the respective colonies for their consideration and approbation." A committee of five, composed of Thomas Jefferson, John Adams, Benjamin Franklin, Roger Sherman, and Robert R. Livingston, was appointed to draw up a declaration and a committee was chosen, June 12, to prepare articles of confederation.

Declaration of Independence.

Van Tyne, *Revolution*, 79–86.

The report of the committee on independence, written principally by Jefferson, was debated in Congress for two days, altered in some of its details, and finally adopted by Congress, July 4, 1776. The committee on confederation reported July 12, but no legal union was formed until long after (§ 173).

Its principles and statements.

Cf. Tyler, M. C., in *N. Am. Review*, 163 (1896), 1–10.

146. The Character of the Declaration. — Independence of Great Britain had been asserted because the colonies believed that they had a right to govern themselves in their own way, and the mother country had not permitted them to do this. We can perhaps see most clearly why our forefathers took this stand if we examine certain parts of the Declaration. The second paragraph, for example, gives some of their views upon government. "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form as to them shall seem most likely to effect their safety and happiness." After enumerating a long list of acts of George III which had aimed to overthrow these rights, the signers "in the name and by authority of the good people of these colonies, solemnly publish and declare, that these united colonies, are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that, as free and independent states, they have

FIRST U. S. FLAG

Cf. Channing and Hart, *Guide*, § 137.

full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent states may of right do."

Disorder of the state governments (1775).

Hart, *Union*, § 39.

Frothingham, *Republic*, 491–496.

147. The First State Governments. — While the colonies collectively were declaring their independence of Great Britain, the colonial governments were being replaced by separate state governments. As the war spread, the royal governors and their assistants and the judges frequently found it wise to leave the country. This left only a part of a government in several of the colonies, in some of which the assemblies asked Congress what they should do. In July, 1775, Massachusetts had been advised to use her old charter and to disregard the governor. In the following November, New Hampshire had been urged to call a convention representing the whole people in order to frame a state constitution, which she did gladly.

Congressional resolution of May 10, 1776.

Frothingham, *Republic*, 496–499.

Van Tyne, *Revolution*, 136–142.

On May 10, 1776, Congress took a great step forward which marked a new era in the history of independence, union, and constitutional development. It recommended that each colony "adopt such a government as shall in the opinion of the representatives of the people best conduce to the happiness and safety of their constituents in particular and of America in general." This suggestion was quickly followed by Virginia, which in convention adopted a constitution embodying not only a plan for the state government, but also a bill of rights. Connecticut and Rhode Island merely continued their charters, which were to all intents and purposes republican constitutions, while most of the other states called conventions for the purpose, but only Massachusetts submitted the constitution framed by her convention to the people for ratification.

Composition.

Van Tyne, *Revolution*, 142–152.

These governments were similar in form to those of the colonies, but now both houses of the legislature were chosen by the people and the governors were elected by the legislatures, except in New England and New York, where they were chosen by popular vote. The powers of the legislatures were increased greatly at the expense of the executive, the

governors being deprived of the veto, for example, in almost all of the revolutionary governments.

Conditions affecting American Success

General.

148. The Theater of War. — Whatever may have been the purpose of the patriot leaders before 1776, there was now no doubt that the struggle was one which would admit of no compromise. Let us consider therefore the conditions that were favorable or unfavorable to the American cause.

Natural difficulties in conquest.

The thirteen colonies that revolted against British rule extended along the Atlantic coast over a thousand miles and inland usually two or three hundred. This was in some respects an advantage to the British, because they at all times controlled the ocean and by seizing one or two seaports might transport their armies to any part of the coast they pleased. But the hold on a few seaport towns was in itself of very little importance to the English government. Unless the English generals could gain control and retain possession of the interior, their attempt to subdue the colonies would fail. Movements on land from one colony to another were prevented by the numerous rivers which flowed at right angles to the coast line. Moreover, any invasion of the interior was disastrous, because the American armies could withdraw easily to the frontier, being augmented by the militia which was always most patriotic in the inland counties. The British, unable to maintain direct water communication from the ocean to their armies, found it practically impossible to maintain an advanced position for any length of time.

Control of the Hudson.

In one quarter only did circumstances seem to be in their favor. The island of Manhattan with its magnificent harbor could not be defended by the Americans, and was seized therefore and held by the British, who might proceed up the Hudson to Albany. On the north they controlled Montreal and the outlet of Lake Champlain as well as Lake Ontario. But even here the almost unbroken wilderness between the head of Lake Champlain and the Hudson River and be-

tween Lake Ontario and the Mohawk valley was an ally of incalculable benefit to the patriots.

Possible policies.

149. British Military Organization and Policy. — To insure success the British needed either to exclude the colonies from communication with the outside world until they were willing to make terms, or to gain control of the territory as far inland as the mountains. The first, which might have been accomplished by an effective blockade, they did not attempt, probably on account of the numerous harbors. The second required a large army skillfully led, and the second was the policy followed.

British and Hessian troops.

Lecky, *Am. Revolution*, 240–244.

Van Tyne, *Revolution*, 96–101.

Supported at all times by a large fleet, which remained inactive, the British army in America numbered, during the first half of the war, about forty thousand, and during the second half, about twenty-five thousand men. Most of these were experienced soldiers, but many of them were not English. Finding it difficult to enlist the necessary soldiers at home, George III hired from the dukes of the small German states, especially Hesse Cassel, about eighteen thousand veterans. The employment of these "Hessians" undoubtedly intensified the feeling of the colonists, not alone because the king was willing to use those so-called mercenaries for their subjugation, but on account of the many outrages perpetrated by the Hessian troops.

British leaders.

The soldiers of the British army on all occasions proved their courage, but were unfortunate in their leaders. Appointed from a certain class of the nobility without reference to military fitness, the English generals and other officers, with notable exceptions, exhibited an incapacity for their duties that is appalling and is perhaps the chief cause of the complete failure of the English plan of subjection.

Native leaders.

150. The American Army. — Our military leaders represented the two extremes of superior ability and extreme incapacity. They were appointed by Congress and were often selected for reasons other than proved ability. For-

tunately George Washington was chosen as commander in chief. Hampered as he was by the unwillingness of Congress to give him full direction of affairs, and constantly handicapped by the lack of trained soldiers, he was without question chiefly responsible for the final establishment of American independence. Although at the time of his appointment he had seen comparatively little fighting, this Virginia planter proved himself an able general and a skillful strategist — much more than a match for any of his English antagonists. He could strike hard when his chance came, but he could also wait, and a waiting policy was usually his only hope of success, because of the superiority of the British in numbers and discipline. Moreover, his foresight, generosity, and broadmindedness united the factions at home — foes more dangerous than the foreign armies. Among his assistants Nathanael Greene is accorded the highest place, although many others, like Benedict Arnold and Daniel Morgan, exhibited, within a more limited radius, conspicuous ability.

Fiske, *Am. Revolution*, I, 133–136, 148–152.

Many of the highest offices in the army were bestowed upon foreigners who had not resided long in America or had come here after the beginning of war. Some of these men, like LaFayette, Steuben, and Kosciusko, were heartily and unselfishly in sympathy with the revolution; others, like Conway and Charles Lee, were adventurers who imposed upon Congress and interfered with American chances of success.

Foreign leaders.

One of the chief difficulties encountered by the Americans was their inability to maintain a permanent army. At the beginning, enlistments were for a term of one year or less. As the troops were poorly fed and clothed, paid in depreciated currency or not at all, most farmers objected to leaving their crops during the summer campaigns when the grain would suffer greatly. Later in the war soldiers of the "continental line" enlisted for three years. Although few in number they formed the nucleus of a regular fighting force. They were the only well-trained American soldiers.

American soldiers.

Hart, *Contemporaries*, II, Nos. 170–174.

Because of the short terms of the others, it was often impossible to obtain men enough to oppose the advance of the enemy, although in times of great danger many joined the army for a few days or weeks. Except at these intervals the number of American soldiers in the field was smaller than that of the British.

Numbers and elements.

151. **The Loyalists.** — As we noticed in a previous section (§ 145), a large part of the population agreed to a declaration of independence from the mother country with great reluctance. Another part was never convinced of the wisdom of the step and remained throughout the war loyal to Great Britain. Many of these loyalists simply refrained from taking sides, but many others were active in their opposition to the patriot party. Few of them were found in New England and Virginia, but in the other states they probably included one half of the population, being especially numerous and virulent in New York, Georgia, and the Carolinas. The inhabitants of the large towns, the office-holders, the clergy in the Anglican church, the members of the professions, most of the merchants, and owners of large estates usually cast in their lot with the loyalists rather than with the patriots.

Winsor (ed.), *America*, VII, 185–192.

Loyalists and patriots.

The persecution of the loyalists began before the outbreak of war, an effort being made by the use of tar and feathers and by similar outrages to intimidate the wavering, and make open espousal of the English cause unpopular. After the establishment of the state governments, the more prominent loyalists were deprived not only of political and civil rights but often of their estates as well. Where they were sufficiently numerous the loyalists retaliated with spirit, outdoing the patriots in brutality. In South Carolina and in some other states a partisan warfare of extreme bitterness was kept up even after the close of the war. In these fierce contests hundreds of persons were killed, the innocent and defenseless suffering quite as frequently as the guilty.

Hart, *Contemporaries*, II, Nos. 166–169.

Van Tyne, *Revolution*, 265–278.

152. **The Finances of the Revolution.** — The difficulties

of achieving independence were financial rather than military. The lack of an established central government with well-recognized means of raising money for the payment of war expenditures caused continued anxiety to the American leaders. Without a certain minimum of congressional revenue the prosecution of the war was impossible. But how was this to be obtained? The states were of course unwilling that Congress should exercise the right of taxation, for after 1777 Congress enjoyed almost as little confidence as parliament had done before the war. Few would lend to Congress because it had no definite sources of income, no legal status, no international standing, and therefore no credit. Nothing was left but for Congress to issue paper money on the credit of the United States and to ask the states for annual contributions with which to pay its most pressing needs. As the states were getting deeply into debt on account of their own war expenses, these requisitions were usually ignored. Paper money was in consequence the chief reliance of Congress.

The problem.

Dewey, *Financial Hist.*, § 14.

During the most trying years of the war, Congress opened loan offices through which the people loaned to the government over $10,000,000. Foreign nations, especially France, helped us some, but most of the foreign loans were made after the victory at Yorktown, so that they were not of direct value in conducting the campaign.

Loans.

Dewey, *Financial Hist.*, §§ 19, 20.

153. Continental Currency. — When Congress began printing paper money in June, 1775, it was expected that after a few issues the presses would be stopped. But on account of the difficulties of raising a revenue from other sources, the issues grew constantly larger. By 1779 the face value of the bills printed amounted to nearly $250,000,000, although they had been worth to the treasury less than one fifth of that amount in cash. Congress had provided for the payment of the bills by pledging the credit of the United States and apportioning to each state the share it should redeem, but on account of repeated issues and little other revenue, depreciation was inevitable. Congress

Issues and depreciation.

Lecky, *Am. Revolution*, 287–292.

Dewey, *Financial Hist.*, §§ 15, 16.

White, *Money*, 115–126.

sought to prevent this by fixing the prices which should be paid for commodities, naturally without effect. Before the last year of fighting a hundred dollars in continental currency would purchase less than one dollar in silver. A little later continental bills were used jokingly for papering rooms and for suits of clothing. It is not strange that toward the close of the war valueless articles were said to be "not worth a continental."

EIGHT
No.
EIGHT DOLLARS.
THIS Bill entitles the Bearer to receive EIGHT Spanish milled DOLLARS, or the Value thereof in Gold or Silver, according to a Resolution of CONGRESS, passed at Baltimore Feb. 26, 1777.
MAJORA MINORIBUS CONSONA
EIGHT DOLLARS.
CONTINENTAL CURRENCY

A CONTINENTAL BILL

Justification.

Dewey, *Financial Hist.*, § 17.

White, *Money*, 126–129.

An attempt was made to justify the issuance of paper money on the ground that it was a form of tax which could be escaped by no one who did business. But it imposed a most unfair burden on those least able to bear it, and was not only a most unjust tax, but a serious injury to business enterprise. If justified at all, it must be as a military necessity, for the states refused to pay the requisitions made on them by Congress, and that body should not be blamed for using the only practicable means it had for continuing the war.

The Campaigns of 1776 and 1777

154. The Movement against New York (1776). — The eighteen months following the declaration of American independence witnessed the most active campaigns of the entire war. The British government had already resolved to make an attack upon the middle colonies with a large army, seize New York, gain possession of the Hudson and Lake Champlain, thereby cutting off New England from the other states, and subduing the middle states, which they considered an easy task because of the large number of loyalists. Plan of campaign.

VICINITY OF NEW YORK (1776)

Late in June, 1776, General Howe landed at Staten Island and was soon joined by his brother, Admiral Howe, with a fleet and reënforcements. To the British army of over thirty thousand regulars Washington was able to oppose a force but two thirds as large, few of whom were well armed or experienced. His was indeed a most difficult task. Public sentiment demanded that he should not abandon New York without a contest, although it was absolutely indefensible against the larger force and fleet, which could cut him off easily from retreat. Moreover he was obliged to fortify and hold Brooklyn Heights, which commanded the city but was exposed to a combined land and water attack. For nearly two months the British allowed him to strengthen his position. Howe then landed twenty thousand men at the southern end of Long Island, and by concerted movements overpowered the eight thousand men

Campaign on Long Island.

Van Tyne, *Revolution*, 102–108.

Fiske, *Am. Revolution*, I, 204–212.

Lodge, *Story of Rev.*, I, 184–195.

left by Washington, captured General Sullivan with one thousand men, and drove the remainder back to the East River. From this position Washington was fortunate enough to extricate his men before the fleet cut off his retreat.

Retreat from New York.

By two other flank movements Howe compelled Washington to abandon first New York and later Harlem Heights. Then the American army was withdrawn to White Plains, where an indecisive battle took place. When Howe captured the two forts, Washington and Lee, on opposite sides of the Hudson, Washington retreated skillfully through New Jersey, destroying bridges as he went. Seizing all the boats on the Delaware, he placed that river between himself and the enemy, and blocked their advance to Philadelphia.

Van Tyne, *Revolution*, 118–128.

American difficulties (Dec., 1776).

155. **The Trenton-Princeton Campaign.** — The American cause seemed now almost hopeless. In spite of Arnold's brave defense of Lake Champlain (§ 142), Carleton had gained control as far south as Ticonderoga. Newport had been captured by the British fleet in December, 1776. The army under Washington, having several times barely escaped destruction, had been driven from New York and New Jersey. Large numbers had taken the oath of allegiance to Great Britain and apparently the backbone of the revolution had been broken effectually.

Fiske, *Am. Revolution*, I, 227–229.

Capture of Trenton (1776).

As the terms of enlistment for most of his soldiers would expire the first of January, Washington decided to assume the offensive — apparently a most foolhardy attempt. But as usual the British were their own worst enemies and had left their vanguard scattered at a half-dozen posts. The advance at Trenton was held by Colonel Rahl and a body of Hessians. On Christmas eve Washington crossed the Delaware, and attacked this force in the midst of their festivities. With the loss of two men killed and two wounded he captured over a thousand prisoners, only two hundred escaping.

Lodge, *Story of Rev.*, I, 207–215.

The effect of this victory was instantaneous. The soldiers reënlisted. Hundreds of militiamen joined Washington, and the people of New Jersey, aroused by the brutality of the British and Hessian soldiers, again gladly espoused the American cause. Meanwhile Washington, who had withdrawn to Pennsylvania, returned to Trenton, disputing the advance of Lord Cornwallis and his greatly superior force. As the Americans occupied a fairly strong position and as night was at hand, Cornwallis postponed his attack until morning, only to find that Washington had slipped away in the night, leaving his campfires burning. Washington had in fact marched around Cornwallis's main army and had attacked three regiments stationed at Princeton, routing them without great difficulty. He then retired to the foothills in the northern part of New Jersey, compelling Cornwallis to abandon the western part of the state. In the face of defeat Washington had outmaneuvered a force several times as large as his own and regained most of the ground he had lost. Frederick the Great, one of the highest military authorities in Europe, is said to have called this the greatest campaign of the century.

Washington in New Jersey (1777).

Van Tyne, *Revolution*, 131–135.

Lodge, *Story of Rev.*, 217–227.

156. The Plan of Campaign, 1777; Philadelphia. — In 1777 the English government, still believing that the opposition outside of New England was half hearted, determined to put an end to the war by gaining control of the Hudson and separating New England entirely from the southern and middle states. For this purpose Sir John Burgoyne was selected to lead the northern army down Lake Champlain to Albany, coöperating with Howe, who was to ascend the river and make the separation of New England complete. This plan had been outlined the previous year and did not meet with the full approval of Howe. By some inexcusable carelessness, the instructions to Howe were mislaid in a pigeonhole by the English colonial secretary, Lord Germain, and did not reach New York until August 16. Long before that date Howe had left New York, intending to capture Philadelphia, the "rebel capital."

Plan to separate New England.

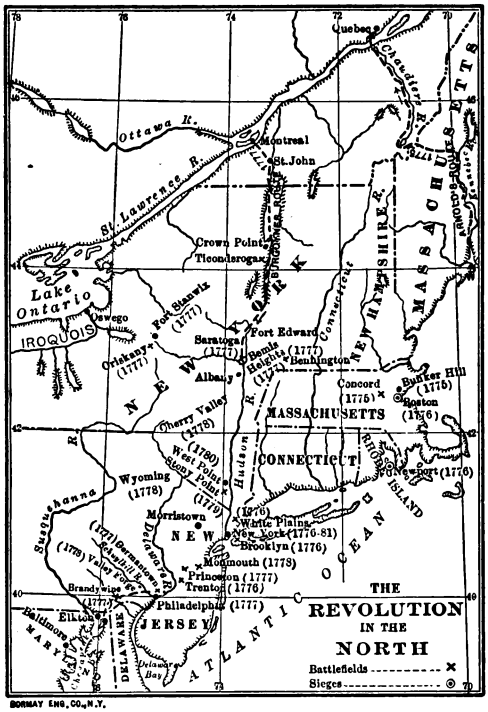
Van Tyne, *Revolution*, 157–159.

Fiske, *Am. Revolution*, 260–268.

Accordingly he failed to coöperate with Burgoyne, and the latter was unable to carry out his plans.

Capture of Philadelphia.

Washington supposed that Howe's destination would be Philadelphia, but held himself in readiness to move to any point threatened. Howe appeared first off Delaware Bay, but did not ascend that river on account of the forts erected



BORMAY ENG. CO., N.Y.

Lodge, *Story of Rev.*, I, 280–302.

below Philadelphia. Late in August he landed at the head of Chesapeake Bay. At Brandywine Creek his way was blocked by Washington, who had sent some of his best troops to the north. A flank attack made by Howe across the fords above Washington's main body was successful on account of the overwhelming superiority of the British in numbers and discipline. The way now lay open to Phila-

delphia, which gave Howe a cordial welcome. But Washington was not content, and on October 4 attacked the British army, now stationed at Germantown, but without success. Howe captured the forts below the city, although they were defended with great skill. The British then gave themselves up to the enjoyment of winter festivities, while Washington went into winter quarters at Valley Forge only a short distance up the Schuylkill River.

Advance to the Hudson.

157. **Burgoyne's Advance (1777).**— Early in the summer Burgoyne had left Canada with about ten thousand English regulars, Hessians, Canadian militia, and Indians. His advance down Lake Champlain was undisputed until he reached Ticonderoga. By seizing some commanding heights that were left undefended he compelled the abandonment of that fortress without serious fighting, the garrison joining another detachment under General Schuyler. Realizing that his opportunity lay in the comparatively unsettled region between Lake Champlain and the Hudson River, Schuyler withdrew slowly, felling trees across the roads or converting them into swamps, destroying bridges, making the way impassable to an army encumbered with baggage and artillery. He accomplished his purpose admirably, for Burgoyne spent fifty days covering seventy-five miles. The American army meanwhile was strengthened daily by arrivals from New England and the Hudson valley.

Lodge, *Story of Rev.*, I, 230–235.

Fiske, *Am. Revolution*, I, 268–275.

Bennington.

Having reached the Hudson and being short of provisions, Burgoyne sent Colonel Baum with six hundred Hessians into what is now Vermont. To the support of this division he dispatched another four days later. The first was met near Bennington, August 16, by John Stark and a body of New Hampshire farmers. Stark attacked the Hessian camp, capturing practically the entire force. Barely was this engagement finished when the second detachment arrived. This was beaten off after hard fighting. Burgoyne had gained nothing and had lost a thousand men.

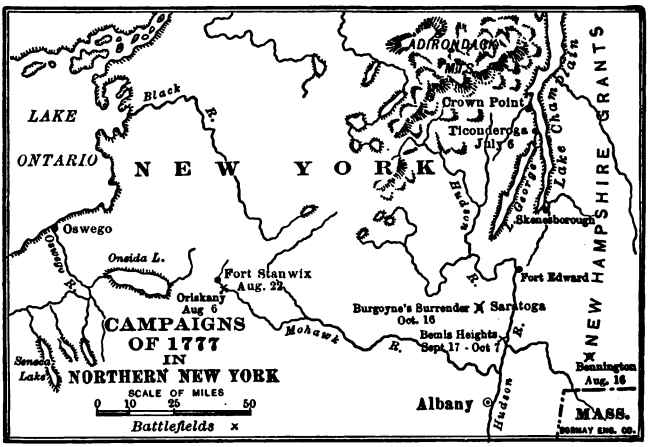
Fiske, *Am. Revolution*, I, 280–285.

Defeat of St. Leger.

At this time Colonel St. Leger, who had advanced from Lake Ontario in order to move down the Mohawk valley

Lodge, *Story of Rev.*, I, 236–242.

and coöperate with Burgoyne, was besieging Fort Stanwix near the western end of the valley. Herkimer, with some Dutch settlers, attempted to raise the siege, but was ambushed and driven back; but when news came that Arnold was approaching with another force, the siege was raised, and St. Leger retreated. In this way, Burgoyne was left to meet the constantly increasing American army without hope of support from any quarter.



Battles of Bemis Heights.

Winsor (ed.), *America*, VI.

Fiske, *Am. Revolution*, I, 325–334.

158. **The Surrender of Burgoyne** (1777). — The command of the American army which faced Burgoyne had been transferred from Schuyler to General Horatio Gates, who was more popular among the New England soldiers. Gates was not an experienced commander, and took very little part in directing the campaign. He drew up his army at Bemis Heights directly in the line of the British advance. In this neighborhood two engagements were fought. The first, on September 19, was indecisive, but in reality an American victory, as the British advance was practically checked. As the news of this battle brought still larger numbers of farmers to the American ranks, and as Burgoyne's communications were threatened by the American com-

mands in his rear, he undoubtedly would have retreated but for the news that Clinton was ascending the Hudson with aid. On October 7 an attempt to reconnoiter brought on another battle. Arnold, although deprived of his command, and Morgan, broke the British line and made Burgoyne's position untenable.

The surrender at Saratoga.

He attempted to withdraw, but was surrounded by the American forces, which outnumbered him three to one. Finally October 16, at Saratoga, he agreed to surrender his army, now diminished to 5791 soldiers and camp attendants. These were to be sent back to England on condition that they should not serve again in America, but Congress kept them as prisoners of war, because the claim was made that the British had broken the Saratoga Convention. Thus the general who had boasted that he would never retreat yielded the last of his army of veterans to a temporary force of militia and farmers called together by the attempted invasion, and directed by an inefficient commander. This was really the turning point of the war, for the victory at Saratoga had momentous consequences in America and Europe.

Fiske, *Am. Revolution*, I, 335–344.

Changed Conditions (1778–1779)

French hatred of England.

159. French Aid before 1778. — The most important result of Burgoyne's surrender was the open alliance of the French and Americans. France, keenly alive to the disgraceful defeats of the last war with England, was anxious to improve the first opportunity of injuring her old enemy. Turgot, the comptroller general, realizing the financial condition of the country, advised King Louis to hold aloof from interference, but a more active party under the lead of Vergennes, minister of foreign affairs, urged that help should be given to the United States secretly. This was done as early as 1776, but American interests were not managed well until the appointment of Benjamin Franklin to the court of France.

Lecky, *Am. Revolution*, 296–311.

Van Tyne, *Revolution*, 203–217.

Larned (ed.), *Ready Ref.*, V, 3241–3244.

Franklin is one of the most extraordinary men of our entire history. Of unaffected manner and a most practical

Benjamin Franklin.

mind, he was an astute philosopher and a far-sighted statesman. His contributions to the cause of education and science entitle him to a high position among the leaders in those branches, and as a diplomat he is unexcelled among Americans. Beginning life as a journeyman printer in Boston, he had run away to Philadelphia, established a paper of his own, founded the University of Pennsylvania, and brought the administration of the municipal government in his adopted city to a high state of efficiency. He had gained a world-wide reputation for his discoveries of electricity, had been assistant postmaster-general for the colonies, and during the trying period immediately preceding the war had rendered invaluable service to the colonies as a colonial agent in London. No one had done more than he to promote colonial union, and when the Declaration of Independence was drawn up, he was one of those selected for the task. His appointment to France was wise beyond expectation, for no one could have foreseen that his services to America in the next six years would be the most valuable of his remarkable career.

Appleton, *Cyclopedia of Am. Biog.*

BENJAMIN FRANKLIN

Terms of the alliance.

160. The French Alliance (1778). — Franklin was very popular in France, and would probably have secured an alliance because of the bitterness toward England. After Saratoga, however, his task was extremely easy, and on February 6, 1778, a treaty of alliance was signed by which

France agreed to aid the United States in order to maintain her "liberty, sovereignty, and independence, absolute and unlimited." France renounced all possessions on the mainland of America, but was to retain any islands in the West Indies captured from Great Britain. The allies were not to make peace or "lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war." On the same day a commercial treaty was signed.

Van Tyne, *Revolution*, 217–226.

The French Alliance and the subsequent war between France and England had a threefold influence on the contest in America. (1) It brought us substantial help in the form of a fleet and regular bodies of troops. (2) It also compelled the British to withdraw from the United States a large number of troops. This crippled the English and made extensive operations difficult, so that the fighting was thereafter more desultory, except in the South during 1780 and 1781. (3) As there were no invading armies to oppose and no possibility of driving the British from the few seaports that they held, the Americans took less interest in the war, and depended more on their French allies.

Results of the alliance.

Lecky, *Am. Revolution*, 398–399.

161. Attempted Conciliation by the British (1778).—Another result of Saratoga was the attempt made by the British government to end the war by conceding all American demands except that of independence. In 1776 Admiral Howe had been instructed to offer pardon to all who would return to their allegiance, but he had failed through unwillingness to recognize Congress as an American government. The full effect of Burgoyne's defeat may be apparent if we notice the offers which were made by Lord North in February, 1778, a few days after the treaty with France was signed, but before England knew of the alliance. The tea act and the Massachusetts government act were repealed, and the right of parliamentary taxation renounced except for duties on commerce, the revenue of which was to be expended by each colony for itself. The peace commissioners were to have power to treat with Congress, grant

Terms proposed by England.

Van Tyne, *Revolution*, 227–233.

pardons, and suspend all colonial laws passed by parliament after 1763. In short, England agreed to return to the old colonial system if her former American possessions would resume their colonial relations.

Rejection of peace.

These efforts came to naught. Had the same offers been made even two years earlier they would have been accepted gladly, but now independence alone was satisfactory to the United States. Congress rejected all offers made by the commissioners, who returned to England, after announcing that thenceforth a war of destruction would be waged.

The Conway cabal.

Fiske, *Am. Revolution*, II, 32–46.

162. Intrigue and Neglect (1778). — A third, though much less important, result of Saratoga was the attempt to remove Washington from his position as commander in chief. The repeated defeats which he had sustained during the fall of 1777 contrasted strangely with the victory in the North, and, to persons unacquainted with the facts, seemed proof that Gates was the greater general. In November, 1777, a war board had been appointed with Gates at the head. An Irish adventurer, named Conway, who had seen some service in France, and whose promotion Washington had opposed, thought this a favorable moment to intrigue against the commander in chief. With Gates and a few others he sought to gain control of Congress; but the plot was exposed, Conway resigned from the army, Gates was detailed to the forts on the Hudson, and Washington enjoyed even greater confidence than before.

Inefficiency of Congress.

Fiske, *Am. Revolution*, II, 26–32.

Larned (ed.), *Ready Ref.*, V, 3261–3263.

Hart, *Contemporaries*, II, 190, 198.

Congress meanwhile found itself incapable of meeting the situation. Paper money was almost worthless, and there was no proper organization to care for the army. The soldiers were not only unpaid, but unprovided with clothes and food. The suffering at Valley Forge during the winter of 1778 was extreme and inexcusable. Many of the men went barefoot in the snow, but, in spite of obstacles, under the supervision of Steuben, a small force of regulars was being trained that was to form the nucleus of the army during the uninteresting campaigns that followed.

163. The Naval War (1776–1782). — At the beginning

of the war the United States had no fleet and little attempt was made to create one. There being no fleet to oppose, comparatively few English men-of-war were sent to America, although Admiral Howe and others advocated a strict blockade of our coasts as the best and quickest means of bringing the colonies to submission.

Lack of a navy.

Hart, *Contemporaries*, II, No. 194.

Numerous privateers were fitted out to prey upon English commerce, an undertaking that was considered perfectly proper, and was highly profitable. Several American captains inflicted great damage on the shipping of the British Channel and the North Sea. Among these was Paul Jones, who in the *Bon Homme Richard* (1779) engaged in a fierce and bloody contest with the *Serapis*, conquering his antagonist but losing his own vessel.

Victories of Paul Jones.

Fiske, *Am. Revolution*, II, 120–130.

After 1778 the war on the ocean assumed a different character on account of the French. Possessed of a powerful navy, she joined to this the navy of Spain, making an alliance with that nation for the purpose of expelling the English from Gibraltar, and invading the British Isles. A year later England declared war against Holland, because that country had indirectly given sympathy and aid to the United States. The war against these three continental countries England carried on principally through a naval contest aimed at their colonies in the West Indies.

Naval war after 1778.

Fiske, *Am. Revolution*, II, 130–162.

164. The War in the North and West (1778–1779). — While at Philadelphia, Howe was superseded by Sir Henry Clinton. As his army was reduced to provide troops for the West Indies, and as the possession of the "capital" was of no value, he withdrew in June, 1778, to New York. At Monmouth courthouse, he was attacked by Washington. The American van, led by General Charles Lee, an Englishman who had been highly honored by Congress, retreated at the beginning of the battle, and, but for the personal efforts of Washington, the army would have been badly disorganized. As it was, the chance of victory had been lost and Clinton reached New York in safety. A little later an elaborate attempt to capture Newport ended in a fiasco.

Withdrawal from Philadelphia.

Lodge, *Story of Rev.*, I, 316–324.

Minor events.

Fiske, *Am. Revolution*, II, 85–90, 109–115.

Larned (ed.), *Ready Ref.*, V, 3258–3260.

During these years occurred the revolting massacres at Wyoming and Cherry valleys, perpetrated by Indians and loyalists. Clinton began also a series of raids along the coast, burning and destroying the seaports. Brilliant and successful but comparatively valueless assaults were made by General Wayne and Major Lee on Stony Point and Paulus Hook.

Clark's conquest of the Northwest.

Van Tyne, *Revolution*, 280–284.

Ogg, *Mississippi*, 354–367.

Lodge, *Story of Rev.*, II, 7–28.

The region directly west of Virginia and North Carolina and beyond the mountains had been settled gradually by pioneers led by Boone and Robertson. These had successfully repelled Indian attacks made upon them in the first half of the war, but they did not assume the offensive until 1778. In that year George Rogers Clark, with the sanction and aid of Virginia officials, descended the Ohio, surprised and captured Fort Kaskaskia near the Mississippi, and marched overland to Vincennes. Hamilton, the British commander in the West, with headquarters at Detroit, had already attached the Indians to the English cause. He again gained Vincennes, but Clark, after a heroic march in melting snow, recaptured the fort (February, 1779), broke up the Indian confederacy, and established American rule over the entire Ohio valley.

The Close of the War (1780–1781)

Capture of Charleston (1780).

Van Tyne, *Revolution*, 293–299.

Winsor (ed.), *America*, VI, 469–475.

Lodge, *Story of Rev.*, II, 29–42.

165. British Success in the South (1780). — During the year 1778 Savannah had been captured by the British and the strongly loyalist state of Georgia had been overrun. Clinton now decided that the chief hope of success lay in following up the British victories in the South. Taking most of the men at his disposal, he advanced from Savannah to Charleston, to which the American commander, Lincoln, retreated, foolishly attempting to defend the town. In May, 1780, Charleston surrendered with its army of about five thousand, a blow that was especially serious because there was no other organized American force in the southern states. Clinton at once occupied the strategic points in the interior and threatened confiscation of

property to all who did not take the oath of allegiance. He then left Cornwallis with about half of his army to hold the country. A violent contest broke out between the patriots and the loyalists, as the latter were now strong enough to retaliate. The American guerrilla commanders, Sumter and Marion, kept up their annoying attacks, but the British had good reason to feel that Georgia and South Carolina had been completely subdued.

Camden.

A new southern army was being collected by de Kalb, who had some of Washington's continental soldiers and was joined by militia from North Carolina and Virginia. The command of this force was intrusted to Gates, the inefficient, although Washington wished to have Greene chosen for the position. Gates moved against Camden, where he was met by Cornwallis (August 15, 1780). Each general had attempted to surprise the other by an early morning attack. The continentals stood their ground, but the militia fled at the first fire, and the battle ended in the complete rout of the patriot army. The prospects of the Americans were indeed dim, and this time is called quite appropriately "the darkest hour of the Revolution."

Winsor (ed.), *America*, VI, 475–478.

Fiske, *Am. Revolution*, II, 185–193.

Lodge, *Story of Rev.*, II, 49–55.

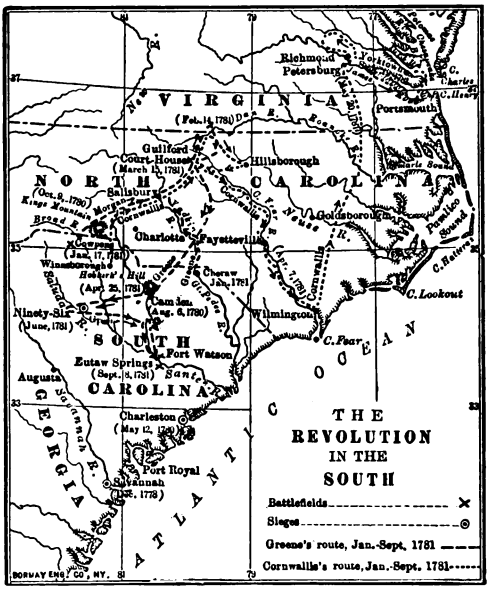
Arnold's career and failure.

166. The Treason of Arnold (1780). — A disaster greater than the capture of Lincoln or the defeat of Gates was narrowly averted a month after Camden. Had Benedict Arnold's plan to betray West Point succeeded, even Washington might not have been able to save the North from the fate that threatened the South. West Point was the best fortified and much the most important of the forts constructed by Washington to hold the Hudson. It had a garrison of three thousand men, and had been commanded by Arnold since July, 1780. Arnold was a brave, energetic, and efficient officer, but of overbearing manner, extravagant ways, and an unfortunate tendency to make enemies. He earned the cordial dislike of most persons with whom he associated, and had, perhaps for this reason, been promoted very tardily by Congress. In 1778 as commander at Philadelphia, he had indulged in a number of sharp practices

Larned (ed.), *Ready Ref.*, V, 3272–3273.

Lecky, *Am. Revolution*, 403–419.

which led to an investigation, and finally a court-martial, in both of which he was acquitted. He had already made overtures to Clinton before applying for the position at West Point. Command was given to him gladly by Washington, who believed him ill treated. The plot to betray the fortress came to light, as is well known, through the capture of Major Andre, Clinton's aid. Arnold fled and



was afterward employed by Clinton in attacking and burning sea-coast towns. Andre was tried as a spy, convicted, and hanged.

Kings Mountain (1780).

167. Campaigns in the South (1780–1781).—The tide of British success was now at its flood, but Cornwallis was destined to lose two divisions in the Carolina foothills during the six months following Gates's defeat. The first of these was a body of loyalists and regulars under a skillful partisan leader, Major Ferguson. Penetrating too far into the uplands, he was surrounded at Kings

Carrington, *Battles*, 520–522.

Mountain by several bands of patriots, who captured the British force.

The Cowpens (1781).

Nathanael Greene was now placed in command of the southern army, part of which under General Morgan was widely separated from his own force. Thinking to destroy each section separately Cornwallis sent Colonel Tarleton against Morgan, who was at the Cowpens near Kings Mountain. By skillful flank movements and sharp fighting Morgan surrounded Tarleton and captured or destroyed over three fourths of his men (January 17, 1781). Cornwallis was rapidly losing the army that he needed for the occupation of the South.

Fiske, *Am. Revolution*, II, 252–255.

NATHANAEL GREENE

Maneuvering in North Carolina.

Morgan did not remain at the Cowpens, but marched north rapidly in order to join Greene. Cornwallis followed with all speed, aiming to strike before they united. He even destroyed his heavy baggage, but, as the rivers were swollen with the winter rains, and as Greene had boats, which he lacked, he gave up the chase at the river Dan. Greene, having secured reënforcements in Virginia, offered him battle at Guilford Court House. Cornwallis's men, although greatly outnumbered, fought with great courage and remained in possession of the field. But their losses were so heavy that the British general could not hold this advanced position. Unwilling to retreat to South Carolina, he withdrew to Wilmington, North Carolina, from which he marched into Virginia, expecting Greene to follow.

Fiske, *Am. Revolution*, II, 256–261.

Winsor (ed.), *America*, VI, 482–487.

Greene, however, resolved to regain control of South Carolina. At Hobkirk's Hill, just outside of Camden, he fought an indecisive battle (April 25, 1781) with the force left by Cornwallis, but compelled the abandonment of that important center by cutting his opponent's communications.

Reconquest of South Carolina.

Fiske, *Am. Revolution*, II, 261–268.

Winsor (ed.), *America*, VI, 487–494.

In September he engaged the British in another battle at Eutaw Springs, much nearer Charleston. Again he could claim no victory, but the British as usual found it necessary to withdraw.

Cornwallis in Virginia.

Lecky, *Am. Revolution*, 448–451.

Fiske, *Am. Revolution*, II, 268–272.

168. Yorktown (1781).—Meanwhile Cornwallis had reached Virginia, where he found himself opposed by a much inferior force under LaFayette. After endeavoring in vain to bring on an engagement, since he found the people actively hostile, he withdrew to the seacoast in order to be ready to coöperate with Clinton. Cornwallis's position on York peninsula was defended quite easily from land attacks, and seemed a safe one because the English had never been prevented from moving their armies by water whenever they pleased.

LAFAYETTE

Surrender of Cornwallis.

Lecky, *Am. Revolution*, 451–456.

Fiske, *Am. Revolution*, II, 273–286.

Larned (ed.), *Ready Ref.*, V, 3277–3279.

Mahan, *Influence of Sea Power*, 387–392.

But the British commanders failed to take into consideration the French fleet under de Grasse which had been in the West Indies, but now sailed for Chesapeake Bay. Washington so deceived Clinton that he expected an attack on New York by the combined French and American armies, coöperating with the French fleet. Too late Clinton discovered that most of Washington's army was well on its way to Virginia. A fleet was sent to aid Cornwallis, but was met near the entrance to Chesapeake Bay and compelled to retire after a short naval engagement. Retreat from Yorktown was shut off now on all sides. Daily the American lines on the peninsula were brought nearer the fortifications of the enemy, and, on September 14, the British outworks were taken by assault. September 17 Cornwallis surrendered, and two days later his army of over seven thousand men marched out while the the band played the old English tune, "The World turned Upside Down."

The Treaty of Peace (1782–1783)

169. Conditions affecting the Treaty of Peace. — The victory at Yorktown made further prosecution of the war impossible. Lord North, who, as prime minister, had carried on the war since 1778 against his own personal wishes, resigned, and Rockingham formed a new ministry on condition that the independence of America should be acknowledged. His cabinet was confronted with a very difficult task. England was at war with four countries, the United States, France, Spain, and Holland. In almost every quarter her enemies had been successful, most of all in America. England's sole hope of success lay in persuading either France or the United States to make a separate treaty,[1] as she would then be in a better position to dictate to the others. For this separate treaty the ministry labored unceasingly.

Problems of England.

Van Tyne, *Revolution*, 309–316, 319–320, 328.

For the United States the negotiations were conducted by three of her ablest statesmen, Benjamin Franklin, John Jay, and John Adams. They were bound by the French treaty not to conclude peace with Great Britain without the consent of France, and were seriously hampered by the instructions of Congress to do nothing without the "knowledge and concurrence" of the French king "and ultimately to govern yourselves by their [the French ministers'] advice and opinion." As France had agreed in the treaty with Spain (1779) to continue the war until Gibraltar should be captured, and to share the American fisheries with Spain alone if Newfoundland were reduced, these instructions were in the interest of France and not of the United States. Furthermore there is no doubt that the French government

American commissioners and their instructions.

Morse, *John Adams*, 160–165.

[1] Even with the separate treaty, success could be attained by England only with a united ministry, yet the negotiation of the treaties with the continental nations was intrusted to the foreign secretary, Charles Fox, and of that with the United States to his political and personal enemy, the colonial secretary, Lord Shelburne. To complicate matters still further, Rockingham died in July, 1782, and his place was taken by Shelburne, who did not enjoy the full confidence of his associates.

desired to have the United States weak enough to be dependent on France for continued aid.[1]

American claims.

170. Claims and Negotiations (1782). — The claims seriously presented by the American commissioners were four in number: (1) complete recognition of American independence; (2) the Mississippi River as a western boundary, and on the north the Great Lakes or a line through Lake Nipissing to the source of the Mississippi; (3) the right to fish off Newfoundland; and (4) the navigation of the Mississippi River.

English claims.

The English, on the other hand, wished to have the Alleghanies as the western boundary of the United States, and did not care to share the fisheries with the Americans. They insisted that there could be no peace until the United States agreed to pay all debts due to British merchants in 1775, and to compensate the loyalists for losses sustained during the war. They intended to acknowledge American independence, but held the acknowledgment in reserve with the hope of trading it for valuable concessions.

Negotiation of the preliminary treaty.

Lecky, *Am. Revolution*, 466–471, 477–482.

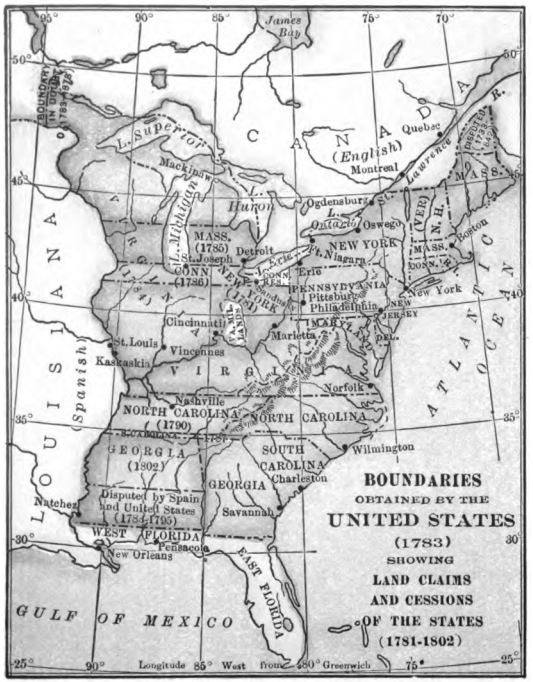
Larned (ed.), *Ready Ref.*, V, 3282–3287.

Lodge, *Story of Rev.*, II, 206–216.

McLaughlin, *Confederation*, 11–28.

With remarkable skill and good fortune, Franklin opened the negotiations for peace by persuading the English secretary, Lord Shelburne, to select as England's representative, Richard Oswald, an unsuspicious, open-minded man, easily influenced by the great philosopher. Through Oswald he succeeded in obtaining recognition of almost all the American claims before the arrival of Jay from Madrid in July, 1782. On account of his experience in Spain, Jay had grown distrustful of all Europeans, and declared that he would not proceed until the independence of the United States was accepted as the *basis* of the treaty rather than as one of its provisions. Shelburne expressed his willingness to do this, on condition that we make a separate treaty. When Franklin asked Jay if he would break his instructions to follow the advice of the French ministers, Jay replied, "as readily as I break this pipe," throwing the fragments

[1] France also wished to have the American boundaries limited to the Alleghanies. See map opposite p. 185.


BOUNDARIES
OBTAINED BY THE
UNITED STATES
(1783)
SHOWING
LAND CLAIMS
AND CESSIONS
OF THE STATES
(1781-1802)
James Bay
CANADA
(English)
Quebec
Montreal
Lawrence R.
DISPUTED 1783 (1842)
L. Superior
Mackinaw
L. Michigan
L. Huron
Ogdensburg
L. Ontario
Oswego
NEW YORK
Ft. Niagara
Erie
Boston
MASS.
(1785)
Detroit
St. Joseph
CONN.
(1786)
Pittsburg
Philadelphia
New York
NEW JERSEY
Cincinnati
Marietta
St. Louis
Vincennes
Kaskaskia
VIRGINIA
Norfolk
Nashville
NORTH CAROLINA
(1790)
NORTH CAROLINA
Wilmington
GEORGIA
(1802)
SOUTH CAROLINA
Charleston
GEORGIA
Savannah
Natchez
Disputed by Spain and United States (1783-1795)
WEST FLORIDA
Pensacola
New Orleans
EAST FLORIDA
LOUISIANA
(Spanish)
ATLANTIC OCEAN
GULF OF MEXICO
Longitude West from Greenwich

BOUNDARIES
SUGGESTED BY
FRANCE
(Esp. South of the Ohio)
OR FAVORED BY
CONGRESS
(in the North-West)
PREFERRED BY CONGRESS 1779, 1781, 1782
SECOND CHOICE OF CONGRESS 1779, 1781, 1782
WESTERN BOUNDARY DESIRED BY CONGRESS
To be held by Great Britain or disposed of by her.
Protectorate of the United States
Protectorate of Spain
INDIAN TERRITORY
Cahokia
Kaskaskia
Detroit
L. Michigan
L. Huron
L. Ontario
L. Erie
Quebec
Montreal
Lawrence R.
NEW YORK
PENNSYLVANIA
Philadelphia
NEW JERSEY
VIRGINIA
Norfolk
NORTH CAROLINA
Wilmington
SOUTH CAROLINA
Charleston
GEORGIA
Savannah
Natchez
WEST FLORIDA
New Orleans
EAST FLORIDA
LOUISIANA
(Spanish)
Territory of
United States
Great Britain
Spain
According to French suggestions
Longitude West from Greenwich
BORMAY ENG. CO.

into the fire. With the aid of Adams, who became the champion of the American fisheries, negotiations now proceeded, and a preliminary treaty was signed November 30, 1782, without the knowledge of the French. This was, however, to become operative only when accepted by parliament and when the French and the English agreed upon terms of peace. Although rejected by parliament, on September 3, 1783, a new treaty almost identical with that of 1782 was signed at Paris.

Boundaries.

171. **Provisions of the Treaty of Peace (1783).** — In the opening section of the treaty, Great Britain acknowledged the independence of the United States. The boundaries agreed upon were as follows: on the north from the mouth of the St. Croix to the source of that river, north to the highlands that separated the rivers flowing into the St. Lawrence from those flowing into the Atlantic Ocean, along those highlands to the Connecticut River, parallel 45 to the St. Lawrence, the middle of the St. Lawrence and the Great Lakes to the Lake of the Woods, and thence to the source of the Mississippi,[1] on the west, the Mississippi River to parallel 31, and on the south parallel 31 to the Chattahoochie River, and along the present north boundary of Florida to the Atlantic Ocean.

Winsor (ed.), *America*, VII, 171–180.

Other provisions.

The people of the United States were to have the right to fish off Newfoundland. Creditors were to be paid *bona fide* debts in sterling money. Congress was to recommend to the state legislatures restitution of all estates, rights, and properties to loyalists, and the treaty declared that there should be no further persecution of that class. The British armies were to be withdrawn at once from all posts in the United States, no negroes being taken with them. Finally, the navigation of the Mississippi was declared to be free to subjects of both countries. The greatest victory of the Revolution had been won, not by armies in America, but by statesmen in Europe.

Lecky, *Am. Revolution*, 471–474.

[1] "A due west course to the river Mississippi." It was supposed at that time that the source of the Mississippi was north of the latitude of the Lake of the Woods. Later it was discovered that it was almost directly south.

Problems of union and independence.

172. **Summary.** — The war between the colonies and Great Britain made independence inevitable during the second year of the conflict. Although the colonies were united from the beginning, the union was represented until 1781 solely by Congress, which exercised less authority year by year. With a large percentage of the people loyal to Great Britain, the political leaders were obliged not only to form a national government but to organize state governments, create an army on limited financial resources, secure recognition of the United States abroad, and finally make peace on favorable terms.

First period of the war (1775–1777).

During the first year of the war all battles were confined to New England or the northern border. When in the summer of 1776 the theater of action was transferred to the middle states, the English armies began a serious struggle for the control of the Hudson, and incidentally the Delaware. Gaining a foothold on New York, which was maintained to the end of the war, the British occupied New Jersey until repulsed by Washington, and sought in 1777 to gain control of the Hudson and of Philadelphia.

Second period of the war (1778–1783).

With the failure of these plans and the French alliance, the English generals began active campaigns in the South. Although attended by success at first, they lost gradually all the southern colonies that they had occupied until, after Yorktown, they held only Charleston and Savannah. When peace was made, everything seemed to favor the American commissioners, who gained extensive territories in the West, besides the concession of almost all other demands except those relating to commerce with Great Britain.

TOPICS

1. THE LOYALISTS: Winsor (ed.), "America," VII, pp. 185–214; Van Tyne, "Loyalists in the Revolution;" Flick, "Loyalism in New York."

2. BURGOYNE'S CAMPAIGN (1777): Fiske, "American Revolution," I, pp. 262–343; Lodge, "Story of the Revolution," I, pp. 228–278; Carrington, "Battles of the Revolution," pp. 303–354.

3. THE TREATY OF PARIS (1782–1783): Winsor (ed.), "America," VII, pp. 89–165; Lee (ed.) (Veditz and James), "North America," VI, pp. 423–442; Bigelow, "Franklin," Part III, Chapters III–V; Pellew, "John Jay," pp. 144–228.

STUDIES

1. Loyalists at the beginning of the Revolution. (Howard, "Preliminaries of the Revolution," pp. 313–326.)
2. Struggle for Lake Champlain (1776). (A. T. Mahan in *Scribners*, XXIII (1898), pp. 147–160.)
3. New York and the independence movement. (Van Tyne, "Revolution," pp. 88–95.)
4. Battle of Long Island. (Carrington, "Battles of the Revolution," 199–219.)
5. Finances of the War. (Lee (ed.) (Veditz and James), "North America," VI, pp. 443–456.)
6. The genius of Franklin. (W.MacDonald in *Atlantic Monthly*, Vol. 96 (1905), pp. 450–462.)
7. Arnold's career (1778–1781). (Fiske, "American Revolution," II, pp. 206–239.)
8. Battle of Kings Mountain. (Lodge, "Story of the Revolution," II, 56–66.)
9. French influence over Congress. (Pellew, "Life of John Jay," 124–127, 150–165.)
10. Jay's suspicions of France. (Pellew, "Life of John Jay," pp. 179–200.)
11. The military ability of Washington. (Ford, "True George Washington," pp. 274–292.)
12. Meaning of the Revolution. (Lodge, "Story of the Revolution," II, pp. 224–248.)

QUESTIONS

1. Why did the Americans desire to gain possession of Canada? What plans were suggested to that end? Why was the failure of the expedition of 1775 not an "unmixed misfortune"?
2. Were the Americans fighting the battles of English freedom? Was independence inevitable? How far had the desire for separation spread by April, 1775? by July, 1776? What effect did the Declaration have on parties in the United States? on our standing abroad?
3. Make a study of the Declaration. What do you think of the bases of the argument in § 2? of the argument itself? Point out what reasons were illegal in English law; which were contrary to colonial practices before 1763? Did the Declaration make the states independent individually, or collectively?

4. What was the importance of the first state governments (*a*) in our constitutional history? (*b*) in reference to independence? Why were the legislatures predominant during the quarter century following 1776?

5. What does the proportion of the loyalists show as to the feeling of the colonists regarding the war? What rights had the Tories? Was the policy of the states toward the loyalists after 1781 wise?

6. Name the different sources of congressional revenue during the war. Why did not Congress levy duties on imports? What difficulties did it encounter in borrowing? Discuss the wisdom of issuing continental currency.

7. What causes produced the French alliance? What obligations were imposed on each side by the alliance? What was the difference in the conduct of the war, feeling of the people, and theater of action before the alliance and after?

8. Of what value to the British was the control of the Carolinas and Georgia? What territory was controlled by the British, March 1, 1781? November 1 of the same year?

9. Compare the reasonableness of the British and American claims. Compare the claims with the provisions of the treaty. How do you account for American success?

10. Give in outline a history of the international changes of territory from 1654 to 1784.

CHAPTER IX

CREATION OF A GENERAL GOVERNMENT (1781–1789)

Articles of Confederation

173. Formation of the Confederation.—In June, 1776, when the movement for independence was well under way, Congress appointed a committee of one from each state to draft articles of union. The first report of this committee was made by the chairman, John Dickinson, on July 12, 1776, but the question of completing a confederation was treated with indifference by most of the delegates, and it was not until November, 1777, that Congress agreed upon Articles of Confederation.

Proposal in Congress.

Van Tyne, *Revolution*, 183–186, 198–202.

Amer. Hist. Leaflets, No. 20.

These articles were to go into effect when ratified by all of the states, but three and a half years elapsed before the last of the states gave her consent. During this interval the old Congress, with its powers undefined, and its authority growing less year by year, cared as best it could for the interests of the United States. By February, 1779, however, only Maryland had neglected to sign, and for two years the little commonwealth refused until Virginia promised that her claims to the land northwest of the Ohio River (§ 180) should be surrendered to the central government.

Ratification by the states.

Curtis, *Const'l Hist.*, I, 86–97.

174. Provisions of the Articles of Confederation.—The government of the United States under the Articles consisted of a Congress composed of not less than two nor more than seven delegates from each state. There was no separate executive or judiciary. Congress had the right to make treaties, and in fact took charge of all foreign affairs, but it had no authority whatever to enforce any article of a treaty which a state refused to respect. Congress was per-

Composition and powers of Congress.

Fiske, *Critical Period*, 93–98.

MacDonald, *Documents*, No. 2, Arts. V, VII–X.

mitted to declare war and make peace, to construct a navy, to organize an army, to borrow and issue money, and to make requisitions on the states for sums sufficient to pay all current expenses. When a vote was taken, each state had one vote, and the support of nine states was required for all measures of importance. Congress was also the court of final resort in interstate disputes.

State and interstate regulations.

The attempt was made by the framers of the Articles to render these powers effective by prohibiting to the states the sending of ambassadors, the making of treaties, the laying of duties which violated any treaty of the United States, and the making of war. One especially valuable article provided for the establishment of an interstate citizenship, making it possible for a citizen of one state to become a citizen of another by a *bona fide* residence in the latter.

Nature of the Confederation. Fiske, *Critical Period*, 98–101. Curtis, *Const'l Hist.*, I, 98–103. Hart, *Contemporaries*, III, Nos. 39–41.

175. **The League of States** formed under the Articles of Confederation was in no sense a nation. The states were as yet unwilling to establish a true central government or give Congress the powers necessary to secure an international standing and to gain respect at home. The union was crude and unsatisfactory. As has been well said, the Confederation seemed to have been designed to accomplish a minimum of result with a maximum of effort.

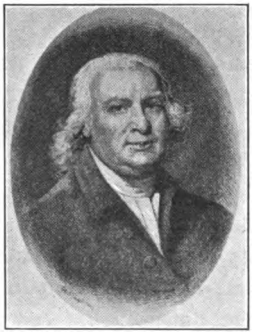
Importance of the Confederation.

Jealousy of any government which exercised its rule beyond the limits of any one state led the states to assert their separate sovereignty and independence. In every way the union was sacrificed to the states, because of their deep-seated dread of a government that was not local. Yet when we consider the situation, the intense spirit of localism, the narrowness that marked many of the political actions of the people, the fear of oppression through union which was constantly present during colonial times, and the inexperience in forming a legal union of the states, we cease to wonder that the Confederation was so imperfect. Indeed, if we compare the Congress of the Confederation with the Second Continental Congress, considering that the latter was exercising war powers without any direct legal

authority, — powers that in time of peace might disappear entirely, — we can realize perhaps that the Confederation was a more perfect union than the one existing in 1776.

The process of amendment.

176. The Amendment of the Articles of Confederation.— No amendment of the Articles was to become a part of that document until ratified by all of the states. For this reason the imperfections which were inevitable in any first government, and especially marked in the Confederation, could not be eradicated easily. The Confederation was in consequence short-lived.



ROBERT MORRIS

Financial amendments.

Since no government can long maintain its authority on an insufficient revenue, the most serious need of amendment was noticeable in connection with the finances. Congress had exhausted its paper money early in the war (§ 153). It was not allowed to levy taxes, and was able to borrow very little abroad (§ 152). Practically therefore its sole resource was the requisitions made on the states. As these were paid with increasing reluctance and in decreasing proportions, Congress tried twice to amend the Articles. On February 3, 1781, it asked that Congress be allowed to collect a five per cent ad valorem duty on imports to be used exclusively for the interest and principal of the public debt. To this all consented except Rhode Island. The second proposed amendment, accepted by Congress April 30, 1783, provided for a duty for twenty five years of five or more per cent on seven enumerated articles, to be applied to the interest only of the public debt. It took four years to gain consent of twelve states, and the thirteenth, New York, finally refused to ratify the amendment.

Dewey, *Financial Hist.*, §§ 21, 22.

Curtis, *Const'l Hist.*, I, 157–167.

Amer. Hist. Leaflets, No. 28.

If it was impossible to obtain a legal change in the Articles when the need was so great, we can see that the Articles

Temporary character of the Articles.

were unsuitable for a permanent constitution, and would of necessity be replaced by a more satisfactory document in the course of a few years.

The Critical Period (1781–1787)

Dangers and problems.

McLaughlin, *Confederation*, 39–46, 55–60.

Fiske, *Critical Period*, 142–147, 189.

177. Critical Conditions. — The period following the establishment of the Confederation has very properly been named "the critical period of American history." The union produced by the struggle for independence was to be tested by the much more trying problems of peace. Jealous of one another, yet not daring to separate; burdened by debts, with resources greatly impaired by the war, the states were forced to make good their claim that they were capable of the self-government they desired — a task that was especially difficult because the revolt against British domination had developed a spirit of protest against authority of every kind. Still more serious were the refusal of the states to subordinate their interests to those of the Union and the difficulties of coöperation among the states. Foreign powers refused to treat with a people who formed "one nation to-day and thirteen to-morrow." The vast territory beyond the Alleghanies, in which the claims of the states overlapped, was a perpetual menace to continued harmony. Trade between the states was in a most chaotic condition, since each regulated its commerce to its own advantage. With good reason might European statesmen believe that the new republic would be dissolved within a few years.

Complaints of the soldiers.

Fiske, *Critical Period*, 105–114.

McLaughlin, *Confederation*, 59–68.

178. The Old Soldiers. — Not the least of the dangers feared by the people at the close of the war was the continental army. To us these fears seem almost without foundation, but there was a chance that in the disordered condition of affairs, the army, which was the only well-organized body in America, might seize the reins of power. The soldiers felt that they had been treated badly and were dissatisfied on account of the failure of Congress to pay them promptly. In 1781 two regiments had revolted because

they thought Congress had broken faith with them, and Congress was driven from Philadelphia in June, 1783, by a company of half-drunk and mutinous soldiers. To this was added the popular distrust caused by the Newburgh address — an anonymous appeal to the officers of the army to seek redress for neglect and wrongs. Although this came to nothing, on account of the tact and wisdom of Washington, it increased the dread of military interference.

Society of the Cincinnati.

The army was disbanded in June, 1783, the soldiers being paid in paper money. Before separating, the officers organized a society called the order of the Cincinnati, very unwisely providing that at the death of any member his place should be taken by his eldest son. So great was the indignation manifested everywhere at this attempt to establish a so-called aristocracy that the objectionable feature was soon dropped. In point of fact the organization does not seem to have exerted a very marked influence over the politics of the succeeding years.

Hart, *Contemporaries*, II, No. 218.

Fiske, *Critical Period*, 114–119.

Claims based on charters.

179. Land Claims of the States. — During the period of the Confederation the West exerted a constant influence on the policy of the United States. Although by the Proclamation of 1763 (§ 94) settlements had been prohibited west of the mountains, and by the Quebec Act (1774) (§ 137) the territory northwest of the Ohio River had been granted to the province of Quebec, no less than seven states laid claim to western lands.[1] By virtue of "sea to sea" charters, four of these, Massachusetts, Connecticut, North Carolina, and South Carolina, claimed the western belts included between their northern and southern boundaries prolonged to the Mississippi. Virginia asserted her title not only to the lands west of her but north of the Ohio as well, because her charter of 1609 included the phrase "from sea to sea, west and *northwest*."

Fiske, *Critical Period*, 189–191.

Hinsdale, *Old Northwest*, 188–196.

Donaldson, *Public Domain*, 30–55.

New York's claim.

New York claimed the territory between the Ohio and the Great Lakes, because the Iroquois, who kept in subjection

[1] The map opposite p. 185 indicates these claims more definitely and accurately.

the Indians of that region, had by treaty conferred upon New York their claims to its jurisdiction. Georgia asserted her right to the Southwest because in 1764 royal instructions had extended her jurisdiction over this region.

Validity of the claims.

The validity of these claims was questioned with good reason by the states that held no western lands. Not only had the charters been granted in ignorance of the geography of America, but with a single exception, that of Connecticut, these charter grants had been revoked. Moreover, Great Britain, by the Quebec Act (1774), had shown that none of the older colonies could claim jurisdiction of any western lands in the North.

Attitude of Maryland.

180. Land Cessions (1781–1802). — As early as 1778 Maryland protested against the recognition of these claims, which she deemed extravagant and unjust. New Jersey and Delaware, when joining the Confederation, expressed the hope that the large states would be willing to curtail their western boundaries, but Maryland waited for the states, especially Virginia, to give up their claims before she signed the Articles. She felt that her future was jeopardized by her neighbor's ability to sell cheap lands and thereby reduce Maryland's population, which would be drawn off by the low taxes of Virginia or to the fertile valleys of the West. She took the broad, patriotic view that the western lands "if wrested from the common enemy by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress into free, convenient, and independent governments." To meet the objections of Maryland, and to remove the very serious dangers arising from interstate strife over conflicting claims, Congress, on September 6, 1780, urged the states to transfer their western land claims to the United States. When assurances were given that this would be done, Maryland joined the Confederation, March 1, 1781.

Amer. Hist. Leaflets, No. 22, 1–8.

Fiske, *Critical Period*, 191–193.

Donaldson, *Public Domain*, 60–63.

Hinsdale, *Old Northwest*, 197–217.

Cessions by the states.

That same day New York ceded her western lands to the United States, and three years later Virginia gave up all claim to territory northwest of the Ohio except for certain

military lands along the Ohio River. In 1785 Massachusetts yielded her claims to lands beyond the present western boundary of New York, and the next year the Connecticut cession was completed, a strip along Lake Erie, known in history as the "Connecticut Reserve," being retained by the state until 1800. South Carolina (1787) gave up her claim to a belt about thirteen miles wide, and in 1790 North Carolina yielded to the United States the jurisdiction of what is now Tennessee, most of the lands having already been granted to private parties. Not until 1802 did Georgia formally cede the last of her western lands, the delay being caused by disputes over certain "Yazoo claims," lands irregularly granted by the Georgia legislature.

Amer. Hist. Leaflets, No. 22, 9–37.

Fiske, *Critical Period*, 193–196.

King, *Ohio*, 167–172.

Hinsdale, *Old Northwest*. 218–246.

Donaldson, *Public Domain*, 65–88.

181. Ordinances for the Government of Western Territory. — Long before these cessions were completed, Congress adopted, April 23, 1784, resolutions proposed by Thomas Jefferson for the government of all the western territory ceded or to be ceded by the various states. Small states were to be formed and admitted to the Union as soon as their population equaled that of the least populous among the original states. They were to have republican governments and were to remain forever a part of the United States.[1]

Ordinance of 1784.

Fiske, *Critical Period*, 196–199.

McLaughlin, *Confederation*, 114–117.

Amer. Hist. Leaflets, No. 32.

No attempt was made to put this plan into operation, and the real territorial system of the United States dates from the much more famous Ordinance of 1787. In that document are contained the principles of territorial government which the United States has used with slight modifications from that day to this. The territory was to be governed temporarily in one or two districts by a governor, a secretary, and judges selected by Congress, but when each district

Ordinance of 1787.

Fiske, *Critical Period*, 203–207.

McLaughlin, *Confederation*, 118–122.

[1] These resolutions followed in the main the suggestions made by a committee of which Thomas Jefferson was the leading member. Although the resolutions applied to all western territory, it was quite evident that only that in the Northwest was contemplated seriously, since names were suggested for states in that region alone. These names were finally omitted from the resolutions, as was also a clause prohibiting slavery in all the western territory after 1800, this antislavery clause being favored by only six out of the ten states represented in Congress.

contained five thousand inhabitants, there was to be a representative assembly. Not less than three nor more than five states were to be formed from the territory, as soon as each contained not less than sixty thousand free inhabitants. None of these states were to be separated from the Union, perfect religious liberty was guaranteed, and civil rights were assured the inhabitants. Most interesting of all, there was to be "neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted" — a phrase that was to become famous in American history. By this article and one which provided for a land system much simpler than that of colonial times, the Ordinance of 1787 exerted an inestimable influence on the later development of the Northwest and of the nation.

MacDonald, *Documents*, No. 4.

Slavery in the Southwest.

Jefferson was unable to extend his liberal antislavery ideas to the territory southwest of the Ohio, for, when Congress accepted the cession of North Carolina (1790), it agreed that "no regulations made, or to be made, by Congress shall tend to emancipate slaves." Except in this particular, the Ordinance of 1787 was extended to the public domain in the South.

Donaldson, *Public Domain*, 161–163.

Settlement of the West.

182. The West and Foreign Affairs. — In the years following Yorktown there had been a great exodus through the passes of the Alleghanies into the fertile valleys of eastern Kentucky and Tennessee. These hardy pioneers had a thinly veiled contempt for the inefficient Congress, and when, in 1784, North Carolina offered to cede Tennessee to the United States, the settlers took the law into their own hands and organized the state of Franklin. North Carolina thereupon withdrew her offer, and after two years of fighting reëstablished her control in eastern Tennessee.

Fiske, *Critical Period*, 199–202.

McLaughlin, *Confederation*, 128–137.

Navigation of the Mississippi.

The same spirit that opposed government by a Congress which could give no protection led those westerners to resent interference by Spain with the free navigation of the Mississippi. Spain was displeased with the extension of United States territory to the Mississippi, and had just cause for

Fiske, *Critical Period*, 207–211.

complaint in the restriction of the West Florida boundary to the thirty-first degree.[1] Spain now closed the entrance to the Mississippi, and seized the stock of an American trader who had descended the river as far as Natchez. The story of his loss aroused the rough and ready pioneers, who sought to retaliate. Their anger was inflamed still more when they learned that John Jay, the secretary for foreign affairs, had agreed that the Mississippi should be closed for twenty-five years in return for a commercial treaty with Spain which would open to our ships a profitable trade with the West Indies. The South heartily espoused the cause of the West against the commercial North, and the treaty was never completed.

McLaughlin, *Confederation*, 91–101.

Hart, *Contemporaries*, III, No. 45.

183. **Relations with Great Britain** were strained during the Confederation because of commercial difficulties and the failure on both sides to carry out the treaty of peace. The English army had carried off many negro slaves and refused to surrender the forts south of the Great Lakes, as British fur traders were unwilling to give up the lucrative trade of that region. On the other hand several states passed laws which prevented British creditors from collecting debts incurred before the war. A larger number took especial delight in persecuting the loyalists who remained in the United States or sought to return. Many loyalists were disfranchised. Estates which had been left untouched in the war were confiscated, and damages were sought for the property of patriots which had been in the possession of the enemy in New York and other places. In South Carolina loyalists were compelled to emigrate, and many who

Failure to observe treaties.

Cambridge Mod. Hist., VII, 307–308.

Fiske, *Critical Period* 119–133.

Van Tyne, *Revolution*, 256–268.

Hart, *Contemporaries*, III, Nos. 47, 48.

[1] In the preliminary treaty of peace (1782), Great Britain and the United States agreed in a secret article that if Great Britain retained West Florida, the northern boundary of the province should be the parallel passing through the mouth of the Yazoo River as theretofore; but if it was transferred to Spain, the boundary should be parallel 31. At that time this intermediate territory was controlled absolutely by Spain. When the secret article became known, Spain was greatly incensed; but in 1795 she agreed to the thirty-first degree as the boundary between the United States and Florida.

refused were killed. Probably one hundred thousand persons left the country for England or the British colonies during the war and the years succeeding. As these refugees were unable to secure compensation from the state legislatures for their losses, the British government appropriated a large sum of money for them, besides giving them help in other ways.

Attempt to secure a commercial treaty.

Cambridge Mod. Hist., VII, 309–310.

McLaughlin, *Confederation*, 102–107.

Fiske, *Critical Period*, 138–144.

Hart, *Contemporaries*, III, Nos. 50–53.

These violations of treaty obligations and acts of violence not only caused ill feeling, but stood in the way of a commercial treaty with Great Britain which we desired greatly. In making the treaty of peace in 1783, no commercial agreements were made by the two nations. In consequence England prohibited trade with the British West Indies except in English ships and also restricted a large part of the commerce with the British Isles to English ships. This policy she would not change because her minister claimed that we could make no concessions of value to them. Before 1776 we had protested against the British navigation acts because they prevented our colonial trade with foreign countries; after that date we objected to them because they interfered with trade between the United States and British dependencies. Many Americans desired by retaliation to force Great Britain into granting us trade advantages, but this was impossible, for Congress had no power to place restrictions on English commerce that would be uniform throughout the United States, and several of the states sought to attack English trade by levying duties on goods brought from Great Britain.

Paper money. Trevett *v.* Weeden (1786).

Cambridge Mod. Hist., VII, 312–313.

Fiske, *Critical Period*, 162–165, 168–177.

184. **Internal Disorder.** — Although times were fairly prosperous in spite of state jealousy and foreign difficulties, most of the cash had been exported to pay for goods bought abroad. There had been so much speculation following the close of the war that debts were heavy and discontent rife. For relief the debtors demanded issuance of large sums of paper money. This was granted in seven states. Of necessity the currency depreciated, and aggravated the evils. In Rhode Island the legislature passed an

act forcing men to take the almost worthless paper. A butcher named Weeden refused to do this and appealed to the courts, which declared the force act unconstitutional (1786). Amid great excitement, at a special session, the legislature removed the obnoxious judges. This was the first conspicuous case in which a court declared null and void an act of a legislature.

McLaughlin, *Confederation*, 140–153.

In Massachusetts the hard-money party prevailed, but the advocates of a paper currency attacked the lawyers and closed the courts that had been instrumental in collecting debts. Led by Daniel Shays, formerly a captain in the American army, the rioters gained possession of Worcester and towns to the west. At length, being short of arms and ammunition, they attacked the arsenal at Springfield. They were finally defeated by the militia under General Lincoln (1787).

Shays's Rebellion.

Hart, *Contemporaries*, III, No. 58.

McLaughlin, *Confederation*, 154–167.

Meanwhile, the states were becoming more and more incensed with one another on account of commercial difficulties. Those that had seaports took unfair advantage of their neighbors, levying unjust and unnecessary duties. New Jersey was compared to a cask tapped at both ends. Connecticut was on bad terms with both Massachusetts and New York. Some of the states imposed special restrictions on foreign commerce, some invited foreign trade by removing all duties. Affairs were in a chaotic condition and becoming worse.

Interstate trade relations.

Fiske, *Critical Period*, 144–147.

All of this disorder convinced people who had hitherto been indifferent that the authority of the state governments must be upheld in enforcing the law, and that a stronger central government was absolutely necessary. The country was in a prosperous condition on the whole; the people were becoming more united and realizing their dependence on one another, the churches were taking steps toward perfecting national organizations, but a new government was required for the United States, and many believed that the Articles of Confederation should not be allowed to stand in the way.

Need of a strong union.

Hart, *Contemporaries*, III, Nos. 54, 55, 57, 59.

Formation of the Constitution (1787–1788)

Meeting of the conference.

185. The Annapolis Conference. — As nothing could be done under the existing Confederation toward remedying these defects, an earnest attempt was now made, under the lead of Alexander Hamilton and James Madison, to obtain new articles of union. Their opportunity arrived when in 1786 Virginia and Maryland were discussing a system of tolls and commercial agreements for the Potomac River. Delegates from all of the states were invited to join representatives from these two at Annapolis, Maryland, and discuss ways of improving commerce between the states. Nine of the states appointed commissioners, but only five were represented at the conference. Unable to transact any business of importance, and believing that the time had come for decisive action, these men adopted a resolution offered by Hamilton urging the state legislatures to select delegates for a constitutional convention which should revise the Articles of Confederation.

Fiske, *Critical Period*, 213–218.

James Madison

McLaughlin, *Confederation*, 172–183.

Spring of 1787.

Congress was asked to indorse this convention, but refused. Without waiting for the sanction of that body, the state legislatures began to appoint representatives. When a majority of the states had taken this step, Congress yielded so far as to call another convention to meet at the same time and place. During this winter of 1786–1787, the defeat of the second amendment of the Articles (§ 176), and the anarchy accompanying Shays's rebellion, roused people to the need of a new and better constitution, so that the sum-

Fiske, *Critical Period*, 220–222.

Curtis, *Const'l Hist.*, I, 175–185.

mer of 1787 was a propitious time for changing the fundamental law of the United States.

186. The Connecticut Compromise. — At the old statehouse in Philadelphia, where the Declaration of Independence had been signed, the delegates to the convention gathered in May, 1787. Many leaders of the revolution were there, among them Washington, Franklin, John Rutledge, Charles and C. C. Pinckney, Roger Sherman, and Robert Morris. But the work before them was performed to a greater degree by younger and perhaps less known men. James Madison, the author of the first outline, and Gouverneur Morris, the writer of the final draft, of the Constitution, were among the younger members, as were also Alexander Hamilton and James Wilson, the most ardent advocates of a strong government in America. It is probably the ablest body of men that ever assembled in this country. Its members represented many views and classes. A few placed local interest and state pride before all else, a small number would have sacrificed every hope of a better government because too narrow-minded for such a great undertaking, but the majority earnestly strove to subordinate personal preferences for the public good.

Members of the convention.

Fiske, *Critical Period*, 224–229.

McLaughlin, *Confederation*, 184–191.

Before many sessions had been held, the delegates began to arrange themselves in two groups or parties. The larger of these favored a new Constitution, with a Congress of two houses, a separate executive and judiciary, and a very great increase of national power. The other wished to revise the Articles of Confederation, giving Congress power to levy duties and internal taxes, and allowing that body to appoint an executive and judiciary. The latter group was composed chiefly of delegates from the small states who feared that concentration of power in the central government would be a great advantage to the larger states and correspondingly dangerous to themselves.

Parties in the convention.

Cambridge Mod. Hist., VII, 246–249.

Fiske, *Critical Period*, 235–250.

McLaughlin, *Confederation*, 192–220.

As the advocates of the national government were in a majority, the small-state party consented to frame a new Constitution, and began a contest for equal representation

Compromise over representation.

Fiske, *Critical Period*, 250–255.

McLaughlin, *Confederation*, 221–235.

of the states in the new Congress. The "national" party (the delegates from the large states) wished to have the representation in both houses according to the population of the various states. After a protracted contest the convention adopted a compromise, usually known as the "Connecticut Compromise," because proposed by the delegates from that commonwealth. Each state was to have two members in one house — the Senate — and to be represented according to population in the other — the House of Representatives.

JAMES WILSON

Three fifths compromise.

McLaughlin, *Confederation*, 257–260.

187. Later History of the Convention. — With the adoption of the Connecticut Compromise came a new arrangement of parties, for the support of the small states to the Constitution was now fully assured. Since the most important subjects over which there was serious dispute were concerned with slavery, the new parties were almost sectional, as the North was already quite opposed to the extension of the system. The first question that came up was about the counting of the slaves. An enumeration of blacks was necessary for representation in the lower house of Congress and for the levying of direct taxes, which the states were to pay according to their population. As the South wanted slaves counted for representation, and the North wanted them counted for taxation, it was decided for purposes of enumeration to call five blacks equal to three whites.

Fiske, *Critical Period*, 255–262.

Cambridge Mod. Hist., III, 264–269.

Third great compromise.

A little later New England clashed with the extreme South over the questions of navigation acts and the slave trade. The southern states, fearing that their agriculture would be sacrificed for the commerce of the North, were unwilling to give Congress the power of enacting navigation

laws except by a two thirds vote. They likewise wished to prevent Congress from forbidding the slave trade. The North opposed both of these measures. As Gouverneur Morris said, this was a chance for a "bargain among the northern and southern states." A compromise was finally adopted permitting the slave trade until 1808, prescribing no special majority for navigation acts, and forbidding the taxation of exports.

Fiske, *Critical Period*, 262–267.

McLaughlin, *Confederation*, 260–265.

Cambridge Mod. Hist., VII, 278–283.

These compromises closed the most heated sessions of the convention, but did not lessen the interest with which for four months the members grappled with the problems before them. Finally on the 17th of September, 1787, the completed draft of the Constitution was signed by delegates from all the states except Rhode Island, and the first and most important stage in this momentous work was completed.

Completion of the work.

Fiske, *Critical Period*, 301–305.

188. Feeling of the People. — The Constitution was to go into effect when ratified by conventions chosen by popular vote in the states. If accepted by nine of them, it was to be established "between the states so ratifying the same." But the people did not fully appreciate the evils of the Confederation, and dreaded the creation of a "consolidated" government. They feared that the president would become a dictator, and thought that the national courts would be an instrument of tyranny, especially as the Constitution contained no bill of rights, protecting the liberty of the individual. Others declaimed against the power of Congress over both the purse and the sword, urging, as did Richard Henry Lee, that they preferred a rope of sand to a rod of iron. These opponents of the Constitution, known as "Anti-federalists," were very numerous, but, not being united, did not effectively delay the ratification of the Constitution except in four or five states.

Objections to the Constitution.

McLaughlin, *Confederation*, 277–281, 287–288.

Fortunately the advocates of the Constitution included most of the able political leaders, whose zeal never flagged until eleven states had indorsed the new Union. They had the sympathy and help of the commercial and conservative

Conditions favorable to ratification.

McMaster, *United States*, I, 454–472.

Curtis, *Const'l Hist.*, I, 623–640.

classes, which were disgusted with the inefficiency of the Confederate Congress. Among the officers of the continental army, even before the close of the war, the favorite toast had been "A hoop to the barrel." Now arose a demand for a "new roof." Processions were held and popular interest aroused in favor of the Constitution. Thinking men were convinced of the need for a new government by the able papers written by Hamilton, Madison, and Jay, which were published under the title of *The Federalist*. But prejudice against centralization of power was deep seated, and the Constitution was truly "drawn by grinding necessity from a reluctant people."

Final adoption.

Schouler, *United States*, I, 65–79.

McLaughlin, *Confederation*, 283–317.

189. Ratification of the Constitution by the States. — The ratification began in December, 1787, with a unanimous vote in little Delaware. With the exception of Rhode Island the small states fell into line rapidly, showing that they were satisfied with the Connecticut Compromise. In Massachusetts, Virginia, and New York fierce contests were waged in the conventions. The chief objection was the lack of a bill of rights, although Patrick Henry argued with great ability against the absolutism of the president. These states and three others proposed amendments to the Constitution when giving their consent, but the ratifications were to stand even if the amendments failed. By the first of August, 1788, all of the states had ratified except North Carolina and Rhode Island, which became members of the Union in November, 1789, and May, 1790, respectively.[1] But Congress did not wait for them, and in September, 1788, selected the first Wednesday, January, 1789, as the day for the appointment of presidential electors, and the first Wednesday in March for the first meeting of the new Congress.

Character of the Constitution

Compact theory.

190. Dispute over the Nature of the Constitution. — From the very first there were differences of opinion regard-

[1] Rhode Island did not finally join the Union until the Senate had passed a bill prohibiting commerce with that state.

ing the character of the Constitution; differences which explain many of the constitutional disputes of the early history of the United States. Most of those who opposed its ratification, and in fact a majority of the others, held that it was a compact or agreement made between sovereign states. To them the United States was still a league from which, many of them claimed, any member might withdraw if it desired. Had not the states been sovereign under the Confederation? they asked. Had not each joined the Union of its own accord? How then had any state lost its sovereignty? Right or wrong, the compact theory of the Constitution was the one indorsed throughout the Union for two or three decades, and the one that was held by the South as late as the Civil War.

Lodge, *Webster*, 174–181.

At no time, however, did all believe the Constitution a compact, and it may well be doubted whether any large proportion of American statesmen held that view even in our early history. Many of the most sincere adherents of the state sovereignty doctrine, moreover, steadfastly combated the idea that a state might secede from the Union, even if the Constitution did not specifically deny such a course. A large number of those who framed the Constitution or formulated the earliest policies of the United States thought that document a really national Constitution, and the United States a nation, not a league. They denied that the states had been sovereign from 1776 to 1788, and claimed that the ratifications in many of the states were not voluntary but unavoidable.

National theory.

Johnston, *Am. Pol. Hist.*, II, 336–343.

191. **The Nation and the States.** — Although the Constitution deals almost exclusively with the central government, it really explains the relation of the nation to the states. It grants certain powers to the government of the United States and denies some of these and others to the states, but all powers are left to the states which are not delegated to the central government or specifically denied to the states. If Congress and a state legislature make conflicting laws relating to the same subject, those

Interdependence.

Ashley, *Am. Gov't*, §§ 255–263.

Bryce, *Am. Commonwealth* (abridged), 225–242.

enacted by Congress prevail, for the Constitution says that the Constitution, the national laws, and treaties shall be the supreme law of the land. Yet the nation and the states are dependent on each other. The two together form a whole — each by itself an incomplete part. Neither state law nor national law alone is sufficient for our government. Ours is "an indestructible union composed of indestructible states," as Chief Justice Chase said at the close of the Civil War.

Composition.

192. Congress. — The legislative body under the Constitution is called Congress as formerly, but is composed of two houses, one supposed to represent the states and the other the people. For the smaller, the Senate, each state legislature elects two members for a term of six years, one third of the senators retiring every second year. Each state has at least one member in the House of Representatives chosen every two years, but its number depends on its population.

Ashley, *Am. Gov't*, §§ 338–340, 347–351.

Powers of Congress.

The new Congress obtained the right to make laws for all subjects which the convention thought could not wisely be left to the states, because of the disastrous effect of conflicting legislation on these topics. It has power to levy different kinds of taxes, borrow money, and regulate foreign and interstate commerce. It cares for some foreign relations of the United States, has the right to declare war, and raise an army and navy. It may coin money, make a rule for naturalization, establish post offices, grant patents and copyrights, and perform other acts permitted by the Constitution. In order that it might not be hampered by too narrow an interpretation of its powers, it has the right "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof."

Ashley, *Am. Fed. State*, §§ 301–325.

Election.

193. The President. — After protracted debate, the convention came to the conclusion that the president should be chosen for a term of four years and be reëligible to the office. Various methods of election were considered,

Stanwood, *Presidency*, 1–9.

direct popular election meeting with no favor, and election by Congress being rejected as likely to make the executive dependent on the legislative department. The choice was given finally to electors, equal in number to the senators and representatives from each state, who are chosen in whatever way the states prescribe. It was intended originally that these electors should exercise independent judgment when casting their votes, but before many years electors found themselves obliged to vote as they were directed by the parties from which they were chosen.

Ashley, *Am. Gov't*, §§ 359–365.

Bryce, *Am. Commonwealth* (abridged), 22–36.

The powers intrusted to the president are sufficiently great to make his position an important one and to show that Henry did not fear a dictatorship needlessly. Besides the right to execute laws in general, the president has command of the army and navy, the right of sending ambassadors, of making treaties and appointing officials with the consent of the Senate, the right to veto bills passed by Congress, and many other less important duties.

Powers.

Ashley, *Am. Gov't*, §§ 370–382.

194. The Courts. — Under the Confederation, Congress was the court of last resort in interstate disputes. It had the right also to appoint judges who might try prize cases, but there was no regular judicial system for the United States. The Constitution changed all this by providing for a Supreme Court, and permitting Congress to erect such inferior courts as became necessary. The judges in all these were to be selected by the president and Senate, holding their offices during good behavior. The jurisdiction of these courts covered cases arising not only under the national laws and treaties but under the Constitution as well, thus allowing the Supreme Court to interpret finally the meaning of any clause in the Constitution. Cases affecting states or arising between citizens of different states or between an American and a foreigner as well as cases affecting national representatives or the United States itself were to be tried in the courts of the nation.

Judges and jurisdiction.

Ashley, *Am. Gov't*, §§ 411–422.

Bryce, *Am. Commonwealth* (abridged), 167–177.

195. Amendment of the Constitution. — The failure of the Confederation was due in great part to the necessity of a

Method of amendment.

unanimous vote of the states for all changes in the Articles. A different scheme was adopted for amending the Constitution — one which at that time seemed too flexible if anything, but which has proved much too difficult a process for ordinary use. Amendments may be proposed by two thirds of each house of Congress or by a convention called on the application of two thirds of the states. These become parts of the Constitution when ratified by the legislatures or conventions in three fourths of the states.

Meigs, *Growth of Const.*, 272-277.

National bill of rights (1791).

This method was used at once in fulfilling the promises made by the friends of the Constitution that a bill of rights should be submitted to the states. The amendments proposed by the ratifying conventions in the states were considered carefully and revised in the first Congress, twelve being adopted by that body. Two of these were rejected by the states and the other ten were declared in force as part of the Constitution, December 15, 1791. The first eight enumerate rights of the individual with which the national government is not to interfere, and the tenth declares that all powers "not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively or to the people."

Schouler, *United States*, I, 113-115.

Colonial and state models used.

196. The Sources of the Constitution.—This bill of rights was to a large extent copied from those found in the state constitutions of that time, and is similar to the bills of rights of to-day.[1] The government established under the Constitution proper was likewise in great measure an adaptation of a state government to the needs of a federal union. The president was in many ways "an enlarged copy of the state governor." His military powers, the right of appointment and of veto, followed the best practices in the commonwealths. Congress was composed of two houses like the legislatures in ten of the states. The House of Representatives was chosen by popular vote from districts, on a plan similar to that used by the assemblies even in colonial times. The plan of a continuous senate had been tried

[1] Ashley, "American Federal State," §§ 554-567.

successfully in New York, Delaware, and Virginia. The national courts, with their great power of interpreting the Constitution, were not unlike those of the states, which in several cases had exercised the right to set aside unconstitutional laws.[1] These similarities are not accidental. Most of the members of the constitutional convention had already sat in state constitutional conventions and had seen that those parts of the state constitutions worked best which followed the usage of the time. They drew constantly upon the experience of their own states, and even the method of electing a president was suggested by a practice employed when choosing senators in Maryland.

"Original" features.

In one respect at least the members of constitutional conventions were obliged to consider the needs of the situation without experience to help them; namely, in deciding the relation of the states to the nation. It is true they ransacked history from the time of the Amphictyonic league to that of the Swiss Republic for help in solving this problem, but without result. In creating a federal system they did the only wise thing possible, and adopted the only system that could reconcile conflicting interests at the same time that it established a stable government. We owe much to the men who, with the wish of experimenting as little as possible, laid a permanent foundation for a new and better union.

J. H. Robinson, in *Annals Am. Acad. Pol. and Social Science*, I, 203–243.

The Organization of the New Government (1789)

Election of Washington.

197. The Presidency. — On the first Wednesday in January, 1789, presidential electors were chosen by all the states then in the Union with the exception of New York. In most of the states the choice was left with the legislature, but in Virginia and Maryland the people were allowed to vote for electors. A month later the electors met at their respective capitals and cast two votes for their candidates, one of whom could not be a resident of the same state with themselves. The result was of course a foregone conclusion.

McMaster, *People of United States*, I, 525–530.

Stanwood, *Presidency*, 20–31.

[1] For example, Trevett *v.* Weeden, § 182.

Washington was chosen unanimously for the presidency, John Adams being selected as vice president.

Washington as President.

At this time Washington was fifty-seven years of age, and without doubt the foremost man in America. Yet his victories had been almost exclusively on the field of battle, and as an administrator he was practically without experience. On this account he took particular pains in the selection of his advisers, surrounding himself with men of exceptional ability. In the solution of the many problems of domestic and foreign affairs with which the new government was compelled to grapple, his sound judgment and lofty patriotism were of the highest value, and the interests of the United States and her people were protected during his administrations as they could have been under few other presidents, however skilled they may have been in affairs of state.

Lodge, *Washington*, II, 47–63.

Washington's inauguration.

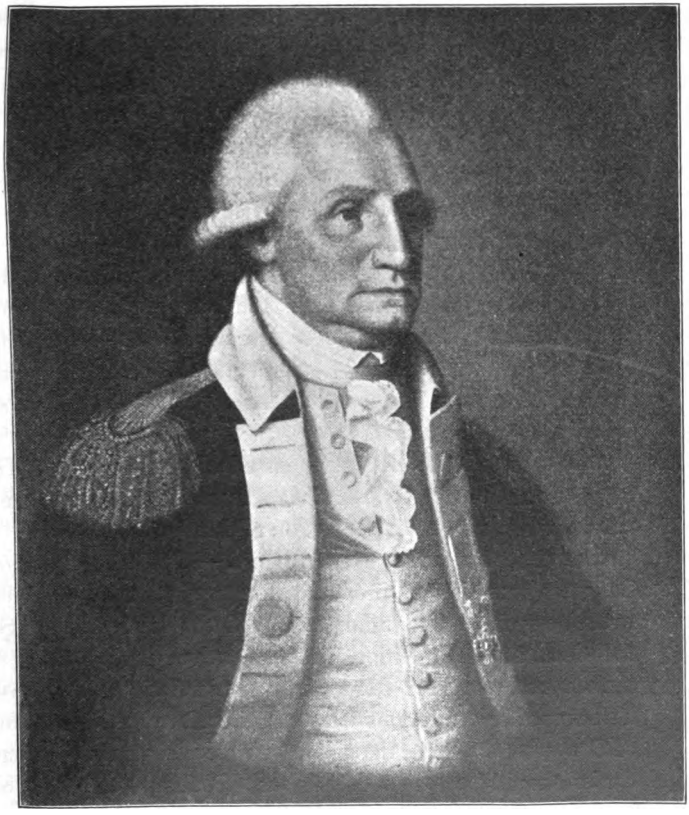
Washington's first inauguration occurred in New York City, April 30, 1789, after a triumphal journey from his home at Mt. Vernon, Virginia. The oath of office was administered on the balcony of Federal Hall, in Wall Street, the populace shouting their approval: "Long live George Washington, President of the United States." Washington then retired to the Senate chamber, where he read his inaugural address to the houses of Congress.

McMaster, *United States*, I, 538–540.

Elections and first meeting.

198. **Beginnings of the New Congress.** — The Congress of the Confederation had appointed March 4, 1789, as the date upon which its successor should begin business, but on that day only a few members had reached New York. Congressional elections had been held quite late, and in many sections no representatives had been chosen by the beginning of March. New Jersey, for example, kept the polls open for three weeks, and in many of the New England districts two elections were necessary since the state laws required a majority vote before certificates of election were issued to the successful candidates. Moreover, bad roads delayed some, for it took many of the members three weeks to reach New York from their own homes. More than all else, the

McMaster, *United States*, I, 530–534.



GEORGE WASHINGTON

example of procrastination and inaction set by the Confederate Congress exerted a pernicious influence in making the congressmen indifferent and dilatory.

First tariff act (1789).

Dewey, *Financial Hist.*, §§ 35-36.

McMaster, *United States*, I, 545-550.

Coman, *Industrial Hist.*, 138-144.

At length, on April 6, a quorum was present in both houses. As the government was in pressing need of revenue, Congress did not wait for the inauguration before beginning business. James Madison immediately introduced a tariff bill in the House, which had exclusive right to originate measures relating to revenue. Then followed weeks of debate in which the representatives sought to increase the duties upon articles manufactured by their constituents, or to lower those which might interfere with their agricultural interests. Few changes were made in the Senate and the bill became a law on July 4, 1789. It provided for *ad valorem* duties of from five to fifteen per cent, and for specific duties on many articles. As a source of revenue it was a complete success — although the rates were raised afterward — and it contained the germ of our present system of protection to American industries.

Tonnage act.

Coman, *Industrial Hist.*, 130-134.

A few days later, Congress passed a tonnage act which imposed a small tax on American vessels engaged in commerce, and a much heavier tax on all foreign vessels.

The problem of organization.

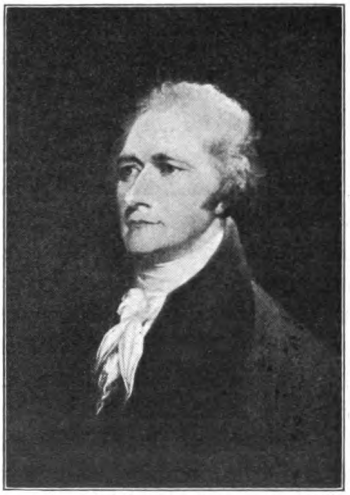
Schouler, *United States*, I, 104-106.

199. The Executive Departments. — The next task of Congress was that of providing the new government with machinery for the administration of the laws. Although the Constitution mentions the executive departments, it makes no provision for their organization and powers. Two important questions were left therefore to the decision of Congress: (1) what departments were necessary and what duties should be assigned to each; (2) should the work of each department be performed by boards or under the supervision of superintendents or secretaries? The first question was settled by creating the three departments of state, the treasury, and war, and arranging for an attorney-general and a postmaster-general in addition. On the second there was little difference of opinion, for the board system had been used without great success under the Confederation, and

the majority favored heads of departments. Four of these, the secretaries of state, treasury, and war and the attorney-general, were to form a cabinet or advisory body for the president. This cabinet was essentially different from that of England, for the English cabinet at that time was the real executive of Great Britain, whereas the American cabinet was solely an advisory body, which was in fact not called together during the first administration of Washington.

Members of the cabinet.

Washington did much to insure the success of the new government by the selection of his assistants. The ablest of these were Thomas Jefferson, who became secretary of state, and Alexander Hamilton, who was chosen for the treasury portfolio. All the members of the cabinet were in fact men who enjoyed the confidence of the people, in addition to being earnest supporters of the Constitution. The one on whom the heaviest burden fell, Hamilton, although but thirty-four years of age, had already rendered valuable services to this country during the Revolutionary War, and in securing the adoption of a stronger government than that of the Confederation. Particularly versed in the financial methods of his time, he was well fitted for the task of establishing and strengthening the public credit. As a political manager he had few superiors, but he made the great mistake of distrusting the people, for he favored a central government that was almost monarchical, which looked to the aristocracy for its support. For this reason he was never



ALEXANDER HAMILTON

Hamilton.

Bassett, *Federalist System*, 16–20.

Lodge, *Washington*, II, 62–71.

popular with the masses and much of his effort was spent in trying to stem the rising tide of popular government.

Judiciary Act of 1789.

200. The National Judiciary. — The last step in organizing the new government consisted in passing the Judiciary Act in September, 1789. According to the Constitution there was to be a Supreme Court and such inferior courts as Congress might create. Congress decided that there should be a chief justice of the Supreme Court, with five associate justices. It divided the United States into three circuits, a northern, a central, and a southern, but it did not provide for any separate circuit judges. Sixteen district courts were created, one for each of the thirteen states, besides Vermont, Maine, and Kentucky. To each district was assigned a district judge, an attorney, and a marshal. The jurisdiction of these courts was clearly defined, and elaborate provision was made for the appeal of cases from state to national tribunals. This judiciary act, largely the work of Oliver Ellsworth, was so nearly perfect that it is still the basis of our judicial system, although enlarged by the addition of the circuit courts of appeals in 1891.

Schouler, *United States*, I, 107–108.

Willoughby, *Supreme Court*, 22–26.

Justices of the Supreme Court.

For chief justice, Washington appointed John Jay, a man of great learning and sound judgment. His colleagues also were able jurists and strong Federalists. At first their duties were comparatively light, and it was many years before people began to realize what an important work had been given to the national courts. In fact it was not until the nation became more united after 1815 that the court was able to strengthen the central government greatly (§ 254).

Pellew, *Jay*, 354–366.

Need of Union. Defects of the Confederation.

201. Summary. — Separation from Great Britain forced the colonies to decide whether they would unite or be separate from each other. Although union was the only attempted solution of the problem, the states were unable and unwilling to form a strong confederation. The chief defect of the Confederation — the fact that the states were sovereign — made it impossible for Congress to raise money for its needs, to enforce the laws that it made, or to regulate commerce for the general good. Coupled with these spe-

cific defects was the provision of the Articles that they could be amended only with the consent of all the states. The states were in danger of drifting into commercial warfare and anarchy unless a substitute for the Articles could be devised.

The new Constitution.

When the need of a new constitution was recognized, and a convention was called to revise the Articles of Confederation, most of the leaders desired a national Constitution. They did not insist on that form of union, because they feared that it would be rejected by the states, but a compromise plan was adopted by the convention at Philadelphia and ratified by conventions chosen for that purpose in the states. This federal union bound the states closely together without consolidating them under a centralized government. Such a federal republic was different from any that had existed before, so that there were numerous heated controversies during the period following 1787 regarding the powers of the national government and the rights of the states. The success of the new government was due in large part to the favorable circumstances under which it began its work in 1789.

TOPICS

1. DEVELOPMENT OF THE WEST: "American Nation Series," VIII, pp. 222–241, IX, pp. 269–288, X, pp. 128–137; Roosevelt, "Winning of the West," I, pp. 122–221 (to 1774); Moore, "North West under Three Flags," pp. 333–385 (after 1787); Winsor, "Westward Movement," pp. 43–62, 77–100.

2. FINANCIAL CONDITION OF THE UNITED STATES (1781–1787): Sumner, "History of American Currency," pp. 43–57; Bancroft, "History of the Constitution," I, pp. 31–45, 76–91, 228–241; Curtis, "Constitutional History of the United States," I, pp. 45–134, 157–185.

3. THE ORDINANCE OF 1787: Johnston, "American Political History," I, pp. 95–105; Dunn, "Indiana," pp. 177–218; Hinsdale, "Old Northwest," 255–269; Sato in "Johns Hopkins University Studies," IV, pp. 88–120.

4. THE CONNECTICUT COMPROMISE: "Cambridge Modern History," pp. 251–264; Curtis, "Constitutional History of the United States," pp. 368–406; Bancroft, "History of the Constitution," II, pp. 36–67.

STUDIES

1. Importance of the Articles of Confederation.

2. Treatment of the loyalists. (McMaster, "People of the United States," I, pp. 107–130.)

3. Reception of first American minister by George III. (Hart, (ed.), "Contemporaries," III, No. 53.)

4. Paper money in the states under the Confederation. (McMaster, "People of the United States," I, 281–305, 331–355.)

5. Defects of the Confederation. (*The Federalist*, XV–XVII.)

6. The movement toward a better union. (Curtis, "Constitutional History of the United States," I, pp. 221–232.)

7. The Virginia plan. (Madison, *Journal of the Constitutional convention*, Tuesday, May 29.)

8. Hamilton's proposed plan of Union. (Madison, *Journal*, Monday, June 18.)

9. Means to prevent legislative corruption considered by the convention. (Meigs, "Growth of the Constitution.")

10. Report of the Committee of Details. (Madison, *Journal*, Monday, August 6.)

11. Election of senators. (Meigs, "Growth of the Constitution," pp. 68–80.)

12. Opposition of Henry to the Constitution. (Tyler, "Patrick Henry.")

13. Defects in the methods of amendment. (Burgess, "Political Science and Comparative Constitutional Law," I, pp. 143–154.)

14. Methods used to obtain ratification. (McMaster, "People of the United States," I, pp. 454–461.)

15. Madison's view of the Constitution. (*The Federalist*, No. 39.)

QUESTIONS

1. What one underlying principle of the Confederation was of greater importance than any others? Name four specific defects of the Articles. Was there a greater degree of real union in this country in 1777 or in 1782? (Give reasons in full.)

2. Give your opinion of the course taken by Maryland (1778–1781). How did the surrender of the land claims strengthen the Union?

3. What constitutional right had Congress to pass the Ordinance of 1787? To what extent were the provisions of the Ordinance in sympathy with the times? ahead of the times? What influence did they have upon the United States then? upon our policy and history later?

4. Was the period from 1781 to 1787 a critical period? Why? Do "hard times" have anything to do with cheap money agitation? Prove your answer from American history. Show how the commercial selfishness of the states produced a spirit of disunion and at the same time a spirit of union.

5. State clearly who were the parties in each of the compromises adopted by the Convention. Tell what each party desired in each case and show which party won in each compromise. Were the compromises necessary? Did they pave the way for civil war?

6. Why were not the Articles of Confederation amended as they provided? What right had the Convention to propose a new constitution? Was not the process revolutionary? What was the status of North Carolina and Rhode Island between 1788 and the dates at which they ratified the Constitution? (Johnston, "American Political History," II, pp. 336–343.)

7. Compare the Articles of Confederation and the Constitution in regard to real character, form of government, powers of Congress, prohibitions on the states, and methods of amendment.

8. From our standpoint was it a disadvantage that the Articles of Confederation could be amended only by a unanimous vote? Is the Constitution amended too easily? What features of the Constitution are based on previous experiments of the states? What features were borrowed directly from other countries? What features are "original"?

CHAPTER X

THE CLOSE OF THE EIGHTEENTH CENTURY

Social Conditions

Number.

202. The People. — Although there had been little emigration from Europe to America during the last half of the eighteenth century, the increase in population had been more than fourfold, since the population in 1800 was over 5,000,000. The white population was, moreover, fairly homogeneous, as all of the foreign peoples were being assimilated gradually into a race that was not English, though predominantly Anglo-Saxon.

Provincial characteristics.

There was still a marked difference between the sections as there had been at an earlier time; for, although the people of 1800 were more liberal in their views and less restricted in their occupations than their grandparents, the sections lost their colonial characteristics slowly. Yet with all their differences of temperament, religion, and pursuits, the people of the various states were alike in their preference for their own states, and in their prejudice in favor of local customs. The American republic was still essentially a nation of farm-

ers, energetic and enterprising, but rude and rather narrow.[1] Not many had traveled beyond the limits of the county in which they were born, and few indeed had visited other states, except during the war, which had brought into contact men from distant sections. With the development of commerce and improved means of communication, it was only a question of time before many of the barriers between remote states would be broken down, since they had grown out of isolation and were fostered by local prejudice; but it was several decades before most of the people considered the interests of the whole country as important as those of their own state or locality.

The cities.

Most of the people in 1800 lived within a short distance of the seacoast, but the cities were not numerous and had grown slowly except during the last decades of the century. Only two cities, Philadelphia and New York, boasted over 50,000 inhabitants and only two others, Boston and Baltimore, had more than 20,000. There had been some improvement in the character of the shops, in the paving of the streets, and in the town houses, but a half century had not altered essentially the manner of living, nor brought many additional comforts.

McMaster, *United States*, I, 11–16, 55–60, 64, 83.

Western settlements.

203. The Frontier. — A few pioneers began crossing the mountains before the close of the last French war, and the emigration to the West continued in spite of the king's proclamation (1763) reserving that country to the Indians

[1] McMaster gives the following description of the Massachusetts farmer: "The Massachusetts farmer who witnessed the revolution plowed his land with the wooden bull-plough, sowed his grain broadcast, and, when it was ripe, cut it with a scythe, and thrashed it on his barn-floor with a flail. His house was without paint; his floors were without carpet. When darkness came on his light was derived from a few candles of home manufacture. The place of furnaces and stoves was supplied by large cavernous fireplaces which took up one side of the room, and, sending half the smoke into the room, sent half the heat up the chimney. His food was of the simplest kind, was served in the commonest of dishes and eaten with the coarsest of implements. Beef and pork, salt fish, dried apples and vegetables, made up the daily fare from one year's end to another." "History of the People of the United States," I, p. 18.

Dangers from the Indians.

Coman, *Industrial Hist.*, 158–166.

McMaster, *United States*, I, 596–604.

Sparks, *Expansion of Am. People*, 88–103.

(§ 94). At the close of the Revolutionary War there was an exodus from the Atlantic slope to the fertile valleys of Kentucky and Tennessee, which no dangers from savages seemed able to check. These emigrants followed the trails through Cumberland Gap and the passes farther south, although some went by way of Pittsburg and the Ohio River. North of the Ohio, the Indians were in undisputed possession until 1794. In 1791 they had defeated and almost destroyed an army under General St. Clair which had been sent against them. Encouraged by the British, who still held many posts in the Northwest, the Indians demanded that the Ohio be the limit of the western settlements. After their army had been destroyed by General Anthony Wayne, they agreed to a compromise line across Ohio. This line was removed farther at later dates.

Life on the frontier.

Sparks, *Expansion*, 149–158, 238–248.

After 1795 the settlers poured into Ohio rapidly. In 1800 there were nearly 50,000 in the present state of Ohio, and over 400,000 west of the Alleghanies. Villages were few and small. Cincinnati contained but a hundred houses, and Pittsburg, the largest town, had less than 2000 people. Most of the pioneers lived on separate farms, often near a blockhouse or stockade for protection. Their houses were invariably of logs and their clothes of skins or coarse homespun cloth. Many reckless men found their way to the frontier, but the people, as a rule, were honest and hard-working, with the love of justice which equaled their ardor for liberty.

Problems to be settled.

Madison, *Journal of Const'l Conv.*, 298, 312, 327, 345, 448, 460.

204. The Admission of New States. — We have noticed already at some length the cession of western lands by the states to Congress and some of the western problems which Congress was asked to solve (§§ 179–182). Many people had thought it unwise to extend the boundaries of the United States beyond the Alleghany mountains because of the difficulties in maintaining a Union which included two diverse sections, one of which was interested almost solely in Atlantic seaboard affairs, while the other belonged to a remote and separate region with interests of its own. The wiser

counsels prevailed when they sought to obtain from England this territory. But the problems of controlling this territory became prominent. The people of the frontier insisted that they should manage their own affairs either as an independent nation or in states of the Union. Many on the seacoast, especially in New England and Pennsylvania, protested against the admission of new states west of the mountains, because of the danger that in time the new states would outnumber the old and control the destiny of the country. Again wise counsels prevailed, and the Congress of the Confederation agreed that the new states to be organized in the West should not be small as suggested at first (§ 181), but should be large and should be admitted on an equality with the states already in the Union.

Three new states (1790–1796).

When the Constitution was adopted, Congress was allowed to control the admission of new states in this way.[1] It adopted a liberal plan at the beginning, for three states were admitted before 1797. The first of these, Vermont (1791), comprised lands in dispute between New York and New Hampshire. Kentucky (1792) had been settled by Virginians and was until her admission a part of Virginia. Tennessee (1796) had been settled by the people of North Carolina, but was the first state organized in the territory controlled by Congress.

Emancipation in the states (1776–1800).

Fiske, *Critical Period*, 71–76.

205. The Movement toward Emancipation. — One of the most beneficial results of the Revolutionary War was the attempt to free the slaves or ameliorate their condition. It was only natural that fair-minded men who had for years insisted on the rights of man, who indorsed the view that all men are created equal, should take some steps toward abolishing human bondage. An attempt had been made in Virginia before the war to discontinue the slave trade, but the king had aroused the wrath of the people by vetoing the law passed by the colony. After they became independent, Delaware and Virginia prohibited the slave trade within their boundaries, and Pennsylvania provided for gradual

[1] Constitution, Art. IV, Sec. 3, Cl. 1.

emancipation. In 1783 Massachusetts abandoned the system of slavery entirely, since her judges held that slavery had been abolished by the provision of the state constitution which declared that all men were born free and equal. Other states followed the lead of these, those in the middle South by preventing the further importation of slaves and those in the North by voting for gradual emancipation. In 1800 New Jersey was the only state north of Mason and Dixon's line in which negro children could become slaves.

Slavery petitions in Congress.

Bassett, *Federalist System*, 186–189.

Schouler, *United States*, I, 156–163.

In this antislavery agitation the Quakers had taken the most active part, ably seconded by that earnest apostle of democracy, Thomas Jefferson, and by leading New England Puritans. The Quakers scarcely waited for the new Constitution to go into effect before petitioning Congress (1790) to abolish slavery. After several bitter speeches, resolutions were adopted to the effect that Congress could not interfere with slavery in the states, but that Congress might control the slave trade absolutely.

Renewed demand for slaves.

Hart, *Slavery and Abolition*, 53, 59–62.

Turner, *New West*, 46–50.

206. The Cotton Gin and Slavery. — The enthusiasm for emancipation which had developed during the Revolution and was noticeable as far south as the Carolinas died out gradually. A counter movement in favor of slavery began when, in 1793, a young New Englander of inventive mind, Eli Whitney, perfected a machine for separating cotton seeds from the fiber. Whitney's gin enabled a negro to clear of seeds as much cotton as a thousand negroes had been able to do by hand. It gave an impetus to cotton-growing, then an unimportant industry, which made cotton the most important product in all the states south of North Carolina. It created a demand for slave labor on the cotton plantations which made the institution of slavery much more valuable and desirable in the South. Not only did it create in the extreme South a stronger proslavery sentiment than before, but it converted the lukewarm Virginians and Marylanders into ardent advocates of slavery, because it gave them a market for their surplus slaves. Interest revived in the slave trade, which was forbidden by the Con-

stitution after 1808, and many merchantmen engaged in the vile traffic. Even after that date, Africans were smuggled into the United States after a voyage of horrors.

Political and Religious Changes

Tasks allotted to the voters.

207. Voters and Officeholders. — It is easy to overestimate the influence which the Revolution exerted directly upon the suffrage. The leveling influences of the Revolution did affect the right to vote; but they did not abolish, they only modified, the property qualification which had been universal in colonial times. In a few states taxpayers as well as owners of land were allowed to vote, but man as man had not yet established his right to a share in the government. Yet the quarter century following the Declaration of Independence brought a much greater share in the work of governing to those that were voters. The constitutions of the states were framed by conventions chosen by the people for that purpose, just as the Constitution of the United States was ratified by similar conventions. Numerous officials were chosen by popular vote and in two states the people ratified the constitutions. The belief that the people should rule was gradually gaining headway.

Thorpe, *Const'l Hist. of Am. People*, I, 191–205.

Qualification of voters and officeholders.

Everywhere the old demand that no one should vote unless he held certain religious views was discarded, so that Catholics and Jews voted on the same terms as Protestants. The same liberality was not shown to officeholders, for it was thought that only men of property and certain religious views were competent to direct affairs of state. The Ordinance of 1787 and the Constitution of the United States did not permit any discrimination in regard to religion for national or territorial officials.

Fiske, *Critical Period*, 69–70.

Ashley, *Am. Fed. State*, 572–576.

Disuse of distinctions in dress and rank.

208. Tendencies toward Democracy. — In other things than politics the tendency toward democracy at the close of the eighteenth century was noticeable. After the war the term "gentleman" came into disfavor and was used little even by those who believed with John Adams in the rule of "the rich, the well-born, and the able," because public

sentiment was a growing force which no public man could afford to ignore. When the first Congress was seeking a title for the president, popular opposition to anything savoring of rank was so pronounced that " his excellency " seemed the only title not odious to the people. Men whose ancestors had been proud to recognize the superiority of the gentry insisted on their right to a position of social equality. Slowly but surely the old order of society was passing away. Distinctions in dress were less conspicuous than in an earlier day. The aristocrat was obliged soon to keep his cocked hat, his wig and queue, his knee breeches, his silk stockings, and low silver-buckle shoes for dress occasions. A plainer, more useful costume was becoming universal for everyday business.

Abolition of special privileges.

Fiske, *Critical Period*, 70–71.

Many of the special privileges enjoyed by the proprietors of the great estates in New York and Maryland were abolished. Primogeniture had been formally set aside in all of the states, and in the national territory laws had been enacted before 1800 giving the children equal shares in the property of a father who died without will.

Disestablishment of state churches.

Fiske, *Critical Period*, 76–83.

209. Religious Freedom. — The movement for religious liberty was the most complete of all those accompanying the Revolution. Before the war the Anglican church was established in seven colonies, the Congregational in three, while three did not sanction a state church. Except in Pennsylvania and Maryland Catholics were not allowed to vote or to hold religious services. As already noted (§ 106), many dissenting congregations were allowed to hold services which were of course illegal. Virginia signalized her independence by freeing dissenters from paying taxes to support the established church (1776), and a few years later, after a memorable contest, largely through the influence of Jefferson and Madison, passed an act establishing complete religious freedom. Outside of New England, the other states disestablished their state churches during the revolutionary period, but in Massachusetts, Connecticut, and New Hampshire the union of church and state survived

until the nineteenth century, although members of other denominations were no longer expected to attend the Congregational service. In fact there was no other part of the country in which greater real liberty of religious thought existed than in New England.

National churches.

During the Confederation there were meetings of clergymen connected with all of the prominent sects in America. National churches were organized by the Episcopalians, the Methodists, and the Presbyterians before the adoption of the Constitution. In some cases these organizations held meetings of the governing body of the church. Thus organized and strengthened, the churches were able to secure better men for their noble work.

Fiske, *Critical Period*, 83–87.

Economic Conditions

Commerce before 1789.

210. Commerce. — Before 1789 the commerce of the United States did not thrive. The disputes with Great Britain before the Revolutionary War, and the attempt of the mother country to enforce the navigation acts, prevented a free exchange of commodities with other countries. The war and the Confederation made matters worse for a time, because England closed the ports of the British West Indies, at which so much of our colonial trading had been done, and refused to allow commerce on advantageous terms with Great Britain, while other nations were not anxious to trade with states that followed no regular commercial policy. During this period it is true we had made commercial treaties with France, Holland, and Prussia. New avenues of commerce had been opened in hitherto forbidden parts of Europe and America. Enterprising Yankee skippers had rounded Cape Horn and crossed the Pacific to China, bringing back precious and profitable cargoes besides large amounts of silver. Yet the total amount of commerce was small and the quantity imported was much in excess of that exported.

Commerce after 1789.

Under the new government came a radical change. The prosperity which followed the adoption of the Constitution

Coman, *Industrial Hist.*, 130–138.

was noticeable at once in the very great increase in our exports. Laws were passed in 1789 which regulated the imports (§ 198) and gave an advantage to American vessels over foreign vessels engaged in trade. Shipbuilding received a new impetus, especially after 1793. Even Great Britain was eager to trade with us and made a fairly favorable treaty in 1794 (§ 222). With the outbreak of war between France and England (1793), American ships enjoyed a still larger carrying trade, and the American flag was seen on every sea. In 1800 the exports of the United States were three times as large as the entire commerce of the country twelve years earlier.

Industry before 1789.

Hart, *Contemporaries*, II, No. 20.

211. Industry. — Although there had been little change in the industrial methods and little industrial advance before 1789, separation from Great Britain had compelled us to manufacture many articles that we had imported previously from England. As the states were free from the prohibitions which had been placed upon manufacturing by the English government, the people now turned their attention to the production of iron and steel articles and to many branches of industry unknown before 1776.

Industry after 1789.

Hart, *Contemporaries*, III, No. 22.

Coman, *Industrial Hist.*, 138–151.

To no person did the adoption of the Constitution prove a greater boon than to the manufacturer. Before 1789 he had labored at a very great disadvantage. In a new country where raw materials and labor were higher than in the old world, he found it difficult to compete with the merchants of Europe. He needed protection of some kind and this help he obtained from Congress, for the new government left no doubt as to its policy by passing as its second law an act in favor of protecting home industries from foreign competition. Two years later appeared Hamilton's famous report on manufactures which exerted an inestimable influence. With the stimulus of a slightly protective tariff industry expanded, although manufacturing was on a small scale and made slight headway until the opening of the nineteenth century, because there was no improved machinery. England took precautions to prevent the ex-

portation of the inventions which were made by her citizens, including Watts's steam engine, Arkwright's and Hargreave's spinning machines, and Cartwright's power loom.

212. Currency. — The year 1789 marks an epoch in the history of currency in the United States, for the Constitution gave Congress complete control of the money system and forbade the states to issue bills of credit or make anything but gold or silver a tender for payment of a debt. There was need of these provisions. It was essential that there should be a uniform standard throughout the country, and there was need of a stable as well as a uniform currency. A repetition of the business confusion and distress which followed the experiments of the states with paper money during the Confederation (§ 184) was to be avoided at all costs. This could be done only by leaving the question of money to Congress alone. But if Congress were to issue continental money, the situation would be little better than under the Confederation. Many members of the constitutional convention of 1787 wished to prohibit Congress from issuing bills of credit. After a discussion, in which the members showed how little they favored a national paper currency, the convention decided not to place the prohibition on Congress for fear that at some future time the need might be very great, and the issuance of paper money might be not only necessary but wise. But for this far-sightedness the nation could not have issued "greenbacks" during the Civil War, nor could we have these notes for use to-day.

Needs before 1787. Provisions of the Constitution.

Dewey, *Financial Hist.*, §§ 25, 29, 30.

Madison, *Journal of Const'l Conv.*, 541–543.

During the Confederation, Congress adopted a decimal system of coinage based on suggestions made by Robert Morris and Thomas Jefferson. No coins were struck at that time, nor until after an act was passed (1792) establishing a bimetallic system of money with a legal ratio of 15 to 1, that is, with fifteen times as much pure silver in a silver dollar as there was gold in a gold dollar. At that time the business of the country was done by means of Spanish and English coins, much of the small change consisting of quarters and eights of the Spanish dollar. These foreign coins

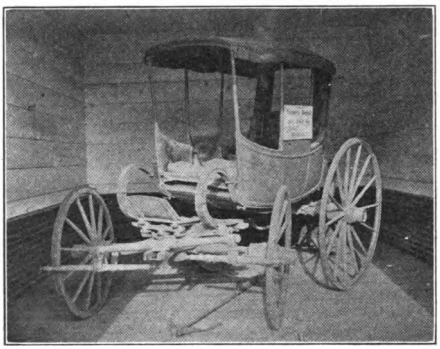
Currency legislation (1792–1799).

Dewey, *Financial Hist.*, § 44.

Coman, *Industrial Hist.*, 151–154.

McMaster, *United States*, II, 72–74, 360–363.

were usually old and worn and often clipped, but it was necessary that they be legal and accepted even by the government in payment of taxes, for very little gold and silver was brought to the mint for coinage into American money. Several times Congress designated a date at which these foreign coins were no longer to be used, but in each case the lack of a national currency made it impossible to carry the act into effect. In fact foreign coins were used extensively in the United States until the Civil War.



AN EIGHTEENTH CENTURY COACH

Highways, wagons, traveling.

213. Improved Means of Communication.— The last half of the eighteenth century witnessed important improvements in the means of communication but very little in the methods. In the older sections, the highways of 1800 were superior to those of 1750, although in the spring the ruts were deep and the mud appalling. Many trails had been widened into wagon roads and several important highways leading to the West had been cut through the forests. In the most enterprising states, turnpike companies had been organized for the purpose of improving the roads, defraying their expenses by charging tolls of all travelers. Bridges were little more common than fifty years earlier, but the ferries were more numerous and much better. Freight was carried by wagon rather than on horseback. A large coasting trade gave employment to numerous swift packets which usually carried passengers. Between all of the large cities regular stagecoach lines plied throughout the year, but the journey was not much more comfortable than at an earlier day.

Hart, *Contemporaries*, III, Nos. 21, 35.

Adams, *United States*, I, 5–15.

McMaster, *United States*, I, 44–53. II, 560–565.

The stages were cumbersome, the roads far from smooth, and the taverns lacking in comforts. The man who demanded clean sheets in a room by himself was considered an aristocrat. Although these coaches ran at least fifteen hours a day, it took two days to go from Philadelphia to New York and at least five from New York to Boston.

Improved postal service.

Meanwhile the mail service had been brought to a fairly high state of perfection. Under Benjamin Franklin, who was postmaster for the colonies after 1753, routes were established and a few regular post offices created. Real improvement, however, dates from the inauguration of Washington. The postmasters-general of our first two presidents saw the number of post offices increased from seventy-five in 1790 to nine hundred and three in 1800. The rates for letters, the only articles carried before this time, were fixed (1792) at from six to twenty-five cents a sheet according to the distance. Thereafter newspapers, the best of which were small four page sheets, were included in the posts at the rate of one cent or a cent and a half a copy. Two years later, magazines were taken also, but the rates were almost prohibitive.

McMaster, *United States*, I, 40–44, II, 58–67.

TOPIC

1. THE FRONTIER: Sparks, "Expansion of the American People," pp. 118–148; Hart, "Contemporaries," III, Nos. 31, 32, 35; McMaster, "People of the United States," III, pp. 459–486, 521–543; Thorpe, "Constitutional History of the American People," I, Chapters VIII–IX.

STUDIES

1. Social conditions. (Hart, "Contemporaries," III, Nos. 11–15.)
2. The "middle passage" on a slave ship. (Spear, "The Slave Trade in America.")
3. An early trip to Chicago. (McMaster, "People of the United States," I, pp. 259–262.)
4. Hamilton's report on manufactures. (MacDonald, "Documents," No. 12.)
5. Trip on the Mississippi. (Hart, "Contemporaries," III, No. 34.)
6. Theater in the later eighteenth century. (McMaster, "People of the United States," I, pp. 84–95.)

QUESTIONS

1. What causes were of greatest importance in the western movement? Why did the people of the western settlements have interests different from those living on the seacoast? In what respects did Congress and the constitutional convention follow a wise western policy?

2. Compare the sentiment in opposition to slave trade in 1790 with that before the Revolutionary War. Explain how Whitney's cotton gin affected slavery in the states that could not raise cotton.

3. Show how the leveling influences of the Revolution affected civil, religious, and political rights. Which class of rights was granted first? most tardily?

4. To what extent did the organization of the government under the Constitution affect the stability and success of the state governments, popular rights, our international standing, foreign and interstate trade, industry, and business in general?

PART III

DEVELOPMENT OF THE NATION (1789–1843)

CHAPTER XI

FOREIGN AND DOMESTIC PROBLEMS (1789–1811)

PRESIDENTS

George Washington (1789–1797) Thomas Jefferson (1801–1809)
John Adams (1797–1801) James Madison (1809–1817)

Organization and efficiency of the new government.

214. Problems confronting the New Government, 1789. — Although the adoption of the Constitution had removed the most serious danger to the continuance of the American Republic, there was still doubt concerning the efficiency of the new government. Was the new Union after all to be but an improved Confederation, with the states disunited, with a central government incapable of protecting national interests, commanding respect neither at home nor abroad? The Constitution seemed to prepare the way for a government capable of solving these problems, but the adoption of a paper constitution was a simple matter compared with the creation of a government which should be completely organized and whose parts should work in harmony. The organization of the executive departments was the first thing to be done, and the success which attended this work, joined with the wisdom in the choice of the men who should manage affairs of state (§ 199), left no doubt that the paper constitution would become the real Constitution.

While the organization of the departments was being completed, the new government was obliged to provide itself with a revenue that should be permanent and adequate.

Financial, commercial, and foreign problems.

With money for its current needs, it could then attempt to establish the credit of the United States which, during the Confederation, had been practically *nil*. The debt was large, interest had not been paid, and the ordinary certificates of the United States were worth only one seventh of their face value. It was necessary to reëstablish harmony among the states, which had waged on one another for years a species of commercial warfare. Foreign trade must be protected and extended, the nations which had injured us commercially during the Confederation being compelled to treat us fairly because the loss would be theirs if they refused to do so. National prestige must be created by showing foreign powers that we constituted a nation deserving of consideration and respect, that we were not to be the tool of France or England or any of the other European nations.[1]

Western questions.

In the central West the new government had yet to gain the real allegiance of the settlers who could be held in the Union only by gaining control of the entire Mississippi. In the Northwest the British still kept several posts in the territory which had been granted to us in 1783, and dominated the Indians of that region. In the Southwest, Spain, which refused to recognize our right to territory around Natchez, refused to give up her forts or make any concessions which would give a satisfactory outlet to the Gulf. Moreover, both France and England desired to possess Louisiana, and were intriguing to gain possession of the territory, which, as the colony of a powerful nation, would be a menace to all of the United States west of the Alleghany mountains, and would effectually prevent the expansion of the nation beyond the Mississippi River.

Changed conditions after 1793.

Some of these difficulties were removed easily, but many of them proved serious. Because of the conflicts that began in Europe in 1793 and continued almost without interruption until 1815, some of the problems existing in 1789 were ag-

[1] Fortunately, at this crisis, Europe was at peace and the United States had proved conclusively its right to an international position before, in 1793, foreign problems became serious (§§ 220–224).

gravated greatly, while a number of others were presented which seriously affected the stability of the new nation. In fact, American affairs during most of these periods were dominated by conditions in Europe, until the nation finally began war rather than submit to the humiliations forced on us by the great powers of Europe.

Financial Policy and Political Parties (1790–1793)

215. The National Debt. — The first session of the first Congress had performed valuable services in equipping the new government for its work. Its successors, following suggestions of Hamilton, by strengthening the public credit, made it possible for that skillful pilot to steer the Ship of State clear of the financial rocks and shoals upon which the governmental vessel of the Confederation had been wrecked. No sooner had Congress met in January, 1790, than Hamilton submitted his first report on the public credit. This called attention to the public debts of the United States, consisting of the foreign debt and the domestic debt, and urged that they be funded at their face value. In addition Hamilton proposed that the debts incurred by the states for the common defense during the Revolutionary War should be assumed by the national government and paid from the treasury of the United States.

Hamilton's report.

MacDonald, *Documents*, No. 6.

Lodge, *Hamilton*, 85–96.

There was no opposition to refunding the debt which we owed abroad. A different feeling was noticed in connection with the payment of the domestic debts. These consisted principally of certificates of indebtedness which had been issued to individuals and which, by act of Congress, were transferable. Before Hamilton's report was submitted they had been worth about fifteen cents on the dollar, but as soon as his suggestions were made public, the market price became nearly three times that figure. Speculators took advantage of the ignorance of the people in remote districts and purchased large numbers of these certificates before the holders learned of this rise in value. Congress found it necessary to answer two questions. (1) Shall the certifi-

Funding of foreign and domestic debts.

Dewey, *Financial Hist.*, § 39.

Schouler, *United States*, I, 144–149.

McMaster, *United States*, I, 568–578.

cates be paid at their face value? Madison voiced the general feeling when he said, "the debt is the price of our liberties, and cannot be diminished a farthing." So it was agreed wisely that the national government should not follow the vicious custom of the old Congress in repudiating a part of its debts. (2) The second question produced a long debate. Was the total amount of a certificate to be paid to the present owner if that person was not the original holder of it, or was the present owner to receive the market value and the balance to go to the original holder? Madison advocated the second alternative, but the policy of discriminating between earlier and later holders of certificates met with little favor. Hamilton's argument that the people must learn not to part with government securities and that the administration should therefore deal with the present owners only, finally prevailed, and Congress authorized new loans, at a rate of practically five per cent, to pay the old certificates.

Compromise over assumption and national capital.

216. Assumption of State Debts. — The House of Representatives was divided about equally on the question of the assumption of state debts, most of the northern members favoring the measure, while the majority of those from the South were opposed to assumption. Some of the southern states, among them Virginia, had reduced their war indebtedness, and others were opposed to a measure which they believed favored the commercial classes at the expense of the agricultural sections. "State-assumption" had a very small majority, however, until the representatives arrived from North Carolina, which had recently become a member of the Union. In order to obtain the votes necessary to carry the measure, Hamilton and Jefferson came to an agreement at a dinner given at the latter's home. Jefferson promised that two Virginia congressmen should support assumption, if Hamilton would assure the location of the national capital upon the banks of the Potomac. There had been heated discussions over the question of the location of the capital, for the northern men wanted it in Pennsyl-

Lodge, *Hamilton*, 121–129.

McMaster, *United States*, I, 580–583.

Dewey, *Financial Hist.*, § 40.

Hart, *Contemporaries*, III, No. 80.

vania and the southern representatives desired the Potomac. Jefferson's offer was accepted, and the state debts were assumed by the national government. The seat of government was to be Philadelphia for ten years, and after that a district not exceeding ten miles square on both sides of the Potomac. As a result of the compromise, the national government temporarily gained the ill will of a large part of the South. Three quarters of a century later, the location of the capital on the border of the Confederacy was a menace to the Union and an important influence in prolonging the Civil War. On the other hand the assumption of these debts did much to strengthen the central government at a time when its continued existence was still a matter of some doubt.

Excise tax (1791) and whisky rebellion (1794).

217. New National Taxes. — Since the government of the United States was already undertaking with vigor the duties conferred on it by the Constitution, the revenue obtained from customs was needed for expenses other than the payment of interest on the state debts. Hamilton therefore recommended an excise tax upon whisky, which was adopted in March, 1791. This tax was very unpopular, especially in the mountains of North Carolina and Pennsylvania. In parts of these states there occurred riots similar to those caused by the Stamp Act, and the collectors appointed by the treasury department were compelled to resign. When, in 1794, the government attempted to collect delinquent taxes in western Pennsylvania, and there was again disorder accompanied by meetings of armed men who defied the authority of the United States, Washington called out fifteen thousand militiamen. At the approach of this army, the rioters dispersed and the insurrection was ended. Although only a few ringleaders were punished, the lawless elements feared thereafter to oppose the enforcement of national law.

Dewey, *Financial Hist.*, § 45.

Bassett, *Federalist System*, 106–112.

McMaster, *United States*, II, 189–203.

Other taxes.

As a revenue measure this excise tax was not a marked success, nine tenths of the government's income still being derived from the customs duties. The rates upon imports

Dewey, *Financial Hist.*, §§ 46–48.

had been increased, and, because of the development of foreign commerce which the new Constitution had brought, the revenue for 1793 amounted to twice that obtained for the six years from 1783 to 1789 by the Confederate Congress. Yet the prompt payment of interest on the public debt and the proper administration of the new laws of the United States demanded a still larger sum. In 1794 taxes were levied upon carriages, auction sales, and certain manufactures, so that people became accustomed to a still further extension of federal authority. Later, in 1798, a direct tax was levied upon houses, lands, and slaves.

Discussion in Congress (1791).

Dewey, *Financial Hist.*, § 43.

MacDonald, *Documents*, No. 9.

218. **The United States Bank.** — In 1791 Hamilton suggested a national bank, which would strengthen the public credit, provide a uniform currency, and aid the government in its financial operations. A bill creating such a bank passed the Senate without opposition, but was immediately assailed in the House on the ground that it was an unconstitutional measure. Madison claimed that as the Constitution did not give Congress in explicit language the power to incorporate a bank, it was not constitutional unless the founders of the government approved such an act. On the contrary, he said, the Convention of 1787 believed that the national government had no authority to grant articles of incorporation. He was answered by Fisher Ames, who showed that Congress had already exercised many powers not directly conferred on it by the Constitution. Ames urged that "Congress may do what is necessary to the end for which the Constitution was adopted, provided it is not repugnant to the natural rights of man, or to those which have been expressly reserved to themselves, or to the powers which are assigned to the states." By a sectional vote of thirty-nine to twenty, the bank bill was passed by the House, more perhaps because it appealed to the commercial interests of the North than because of constitutional arguments.

Washington submitted the bill to Jefferson and Randolph for their opinions, and then sent those opinions to Hamilton

for his consideration. Jefferson argued that the bank was not a "necessary and proper"[1] means of carrying into effect the financial powers of Congress, and claimed that if that body could adopt any means it thought necessary and proper, it would invade the sphere of the states and destroy their rights. Hamilton's reply was logical and convincing. He stated that the states and the nation have different spheres of activity, and that the United States is sovereign within its own sphere. He asserted that not only the "express" or enumerated powers of Congress were delegated, but those that were "implied" as well, and showed that the use of an implied power to supplement an express power could not injure a state provided the *object* for which both were used was one not reserved to the states. Washington accepted the view of Hamilton and signed the bill, and the use of implied powers was not again questioned while the Federalists remained in power.

Jefferson's and Hamilton's opinions.

Johnston, *Am. Pol. Hist.*, I, 114–119.

McMaster, *United States*, II, 28–32.

MacDonald, *Documents*, Nos. 10, 11.

219. The Formation of Political Parties. — During the three years that had elapsed between the inauguration of Washington and the creation of the bank, the revival of business, the continued prosperity in every line, popular confidence in Washington, and national pride in the growing prestige of the American people, had undermined all the old opposition to the Constitution which had been voiced by the Anti-Federalists. But as Hamilton had seen his financial plans enacted into law and had attached to the new government the classes interested in commerce and manufactures, he had aroused an opposition among those devoted to agriculture which had grown stronger year by year. The leader of this opposition was Jefferson, who fought the policy of Hamilton in the cabinet, and began organizing his followers in the country.

Reorganization.

Johnston, *Am. Pol. Hist.*, I, 206–211.

Bassett, *Federalist System*, 42–55.

The party of Hamilton, the members of which called themselves Federalists, included the majority of the aristocracy in the United States chiefly because the party believed in government by the "well born." All the moneyed men as

Federalist party.

Lodge, *Hamilton*.

[1] The Constitution, Art. I, § 8, cl. 18.

Johnston, *Am. Pol. Hist.*, I, 220–223.

well had profited by the strong policy of the government under which business had improved so greatly, and were therefore ready to accept Hamilton's doctrine of implied powers. In the North and in South Carolina, the Federalists were in a decided majority.

Republican party.

Johnston, *Am. Pol. Hist.*, I, 208, 215–220.

Although an opposition party, the adherents of Jefferson, known as Republicans, had well-defined views on public questions, modeled after those of their leader. Their chief doctrine was the restriction of the powers of the central government in order to protect the states from the aggressions of Congress. Coupled with this was a belief that the country should be ruled by the common people for the benefit of the agricultural classes.

Partisan abuse.

Hart, *Contemporaries*, Nos. 85–88.

McMaster, *United States*, II, 110–112, 249–255, 296–306.

Each of these parties employed newspapers in which appeared partisan articles supporting their respective claims. In time the criticisms of the administration in the Republican papers degenerated into personal attacks upon Washington, the war of these pamphlet writers being scurrilous beyond belief. At one time Washington was nicknamed "the step-father of his country." At another he was accused of stealing from the public treasury. Driven to desperation he said that he would rather be in his grave than in the office of president.

Foreign Affairs (1793–1798)

Proclamation of Neutrality.

MacDonald, *Documents*, No. 13.

Foster, *Am. Diplomacy*, 153–156.

220. **Difficulties with France (1793).** — Fortunately for the United States the new government was established quite firmly before it was obliged to deal with any important foreign problems. But during the period from 1793 to 1815, there was scarcely a year that did not bring fresh difficulties. The revolution which had broken out in France in 1789 had in 1792 led to the establishment of a republic, and in January, 1793, to the execution of Louis XVI. Early in April news was brought that France had declared war against England. Washington without delay called his cabinet together and asked the members whether the French treaty of 1778 was still binding upon us, and whether he

should declare the United States neutral. Hamilton and Knox held the treaty to be without effect, and all agreed that the United States should take no part in the war, but should receive a minister from the French Republic, thereby recognizing that government. This wise policy of refraining from a contest which lasted two decades was adopted, and Washington on April 22, 1793, issued his famous Proclamation of Neutrality warning citizens of the United States to avoid all acts that were not strictly neutral in character.

Lodge, Washington, II, 138–146.

Two weeks earlier, a French minister, Edmund Charles Genet, had landed at Charleston. Young, ardent, and irresponsible, a fit representative of the Girondists who then governed France, Genet did not wait to be accredited by our government, but began fitting out privateers. Proceeding leisurely overland he evoked great enthusiasm for the French cause. His treatment of Washington, who did not in the least alter his determination to keep the country neutral, was at first cool and then rude. Strangely enough, Genet did not ask us to carry out the treaty of 1778 to defend the French West Indies against England because he hoped to make a new treaty in which we would agree to help France regain Louisiana. Being called to account for his violations of international law, he stirred up opposition to the government, urged the formation of societies on the model of the French Jacobin clubs, and at length declared that he would appeal from the President to Congress. Hitherto popular feeling had been very bitter against Washington for not favoring the French openly, but as Genet became more indiscreet, a reaction set in which left the administration more popular than ever. A request for Genet's recall was honored at once, as the Girondists were no longer in power, and an episode that might have had serious consequences but for the recklessness of Genet, no longer aroused general interest.

Trouble with Genet.

Lodge, *Washington*, II, 146–163.

Johnston, *Am. Pol. Hist.* I, 131–144.

Bassett, *Federalist System*, 88–98.

McMaster, *United States*, II, 98–107, 113, 137–142.

221. **Grievances against England (1794).** — Following close upon the excitement over French actions, came an outburst of wrath against the aggressions of Great Britain.

Failure to keep the treaty of 1783.

Johnston, *Am. Pol. Hist.*, I, 144–147.

There had been some bad feeling between the two countries because of the failure on each side to observe features of the treaty of 1783. As ten years earlier, Great Britain still retained the military posts in the Northwest and was accused of inciting the Indians of that region. No compensation had ever been made for the negroes carried off by the English in 1783. On the other hand England was offended that obstacles had been placed in the way of collecting debts due to her merchants and complained because the states had refused absolutely to compensate the loyalists for injuries sustained during the war.

Interference with American commerce.

Johnston, *Am. Pol. Hist.*, I, 147–150.

McMaster, *United States*, II, 165–168.

When war began between France and England in 1793, each used all possible means of injuring the other's commerce and eventually of damaging the enemy by interfering with neutral trade, England being the chief offender because she was more powerful on the ocean. American vessels were seized if found carrying goods of the enemy or when they had on board contraband of war, the latter being held most unjustly to include provisions destined for a French or British port. Great Britain also began to reënforce the Rule of 1756, which declared that neutrals should not enjoy during war a commerce with colonies that were closed to them in times of peace. Ships trading with the French West Indies were therefore subject to capture. English war vessels further exercised the privilege of stopping American ships and impressing sailors who were thought to be British citizens. Many of these had no doubt sought employment in a neutral marine to avoid service in the British navy, but a larger number were American-born or naturalized American citizens.[1]

Negotiation and provisions.

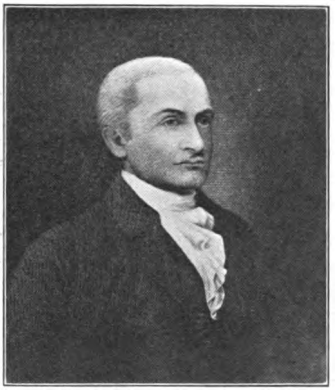
222. **Jay's Treaty (1794).** — Aroused by these outrages, Congress declared an embargo on all vessels or ports of the United States, and voted a large sum for harbor defenses. But Washington desired a peaceful solution of the differences

[1] England claimed that no English citizen could ever forswear his allegiance to her, on the principle of once an English citizen always an English citizen.

with England, and appointed John Jay as special envoy to the court of St. James. Jay was well received by the English ministry, and concluded a treaty covering some of the points at issue. Each nation was allowed to trade with the other on the most favorable terms given to any other power. The northwest posts were to be evacuated in 1796, and compensation was promised for any merchantmen unlawfully seized, but the subject of impressment was not mentioned. The United States agreed to pay all of the debts which British creditors could not collect. By Article XII trade was permitted with the British West Indies during the war with France, and for two years thereafter, in vessels of less than seventy tons, provided that no molasses, sugar, coffee, cocoa, or cotton was to be carried in American vessels to any part of the world.

Johnston, *Am. Pol. Hist.*, I, 150–155.

Pellew, *Jay*, 294–313.



JOHN JAY

This treaty was submitted by Washington to a special session of the Senate, which debated it in secret and ratified by a two thirds vote after striking out the objectionable twelfth article. A few days later, the text of the treaty was made public for the first time. From all parts of the country arose a storm of protest. Jay, Washington, and the Federalist senators were accused of betraying the country and were subjected to criticism more virulent than that of two years before. Opposition meetings were held in all of the large cities, Jay was burned in effigy at various places, and Hamilton, attempting to speak for the treaty, was stoned by a mob in New York City. Nevertheless the treaty was signed by Washington and went into force without the offensive article on West Indian trade.

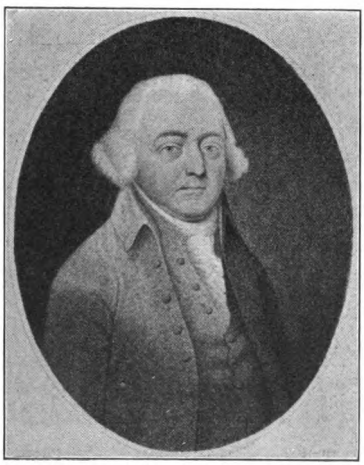
Criticism and adoption.

Lodge, *Washington*, II, 181–194, 201–207.

McMaster, *United States*, II, 212–216, 245–255.

Importance of the treaty.

Although this treaty was in many ways unsatisfactory to the nation, it postponed war with Great Britain for several years and placed us upon a friendlier footing with that power. Considering the circumstances it was probably as favorable a treaty as a young though growing nation could expect to make with the chief maritime power of the world, which was at that time using every means to crush a formidable antagonist. Its real importance is shown clearly by the objections made to it by France (§ 224) and by the concessions which we were able to obtain from Spain at this time (§ 231).



JOHN ADAMS

Farewell address.

223. The Close of Washington's Administration. — Washington declined to accept a third term as President, glad to escape the cares of the office and the abuse of his enemies. Before the election of his successor was held, he issued a farewell address to the people of the United States, urging them to avoid geographical parties and foreign entanglements.

Old South Leaflets, No. 4.

Election of 1796.

Jefferson was the natural candidate of the Republican party, but the Federalists knew that it was hopeless to attempt the election of their leader, Hamilton, and selected Vice President Adams as the most available man. Interest in the election centered in the effort of Hamilton to have Adams again chosen as vice president, and to secure the selection of Thomas Pinckney as president. Party lines were not drawn closely and the result was most peculiar. Pinckney did not obtain the full support of the Federalists

Bassett, *Federalist System*, 142–146.

McMaster, *United States*, II, 291–307.

in the North, and received fewer votes than Jefferson. Adams had a majority of but three over Jefferson, so that, according to the Constitution, Jefferson, a Republican, became vice president, and Adams, a Federalist, was chosen president — "the president of three votes," as he was sometimes called.

Stanwood, *Presidency*, Chapter IV.

Adams was an exceptionally honest and able man, but so conceited and overbearing that his undoubted merits were often overlooked. In the revolutionary Congress he had been one of the most active and efficient workers. He has the honor of being the chief author of the only revolutionary state constitution — that of Massachusetts — which is still in use. Although blunt and outspoken, he had rendered valuable services abroad under the Confederation, and, as vice president for eight years, he had gained the good opinion if not the cordial support of the moderate Federalists.

Character of Adams.

Appleton's *Cyclopedia of Am. Biog.*

Schouler, *United States*, I, 505–512.

224. Trouble with France (1796–1800). — Jay's treaty was even less palatable to the French than to the United States. Even so imperfect an understanding with England was held to have abrogated the treaties of amity and commerce made in 1778.[1] Coupled with the recall of James Monroe, who, as minister at Paris, had sought to curry French favor by the neglect of his duties, the Directory refused to receive the new minister, C. C. Pinckney. A year later three special envoys were sent to settle matters peacefully if possible, John Marshall and Elbridge Gerry being selected to act with Pinckney. As soon as the Americans attempted to present their claims, the secret representatives of the Directory made certain demands, including one for a loan and $240,000 for the personal use of the directors, the last-named sum to be paid at once. The agents intimated that if this bribe was paid and the loan promised, their claims against us would not be pressed. After months of effort that was fruitless because the French made the payment of the bribe a prerequisite to all negotiations, the envoys departed.

Quarrel (1797–1798).

Johnston, *Am. Pol. Hist.*, I, 163–168.

Foster, *Am. Diplomacy*, 172–177.

[1] Officially the treaties were still in force, however.

X. Y. Z. papers.

Johnston, *Am. Pol. Hist.*, I, 168–175.

McMaster, *United States*, II, 374–385.

Meanwhile, the dispatches of the envoys reached America with the insulting demands of the French agents. These papers were submitted to Congress and in a ringing message President Adams urged preparations for the national defense. The enthusiasm of the people was intense, and in addition to the appropriations made by Congress for the equipment of men-of-war and the raising of an army, popular subscriptions were raised for the arming of privateers.

Naval war, and treaty of 1800.

Bassett, *Federalist System*, 237–251.

The next year (1799) one French frigate was captured, and another greatly injured in the West Indies, but the contest with France was brought to a close when Adams sent three commissioners to Paris in opposition to the wishes of his own party. In 1800 a treaty was concluded with Napoleon, now first consul, and the real head of the French government, who desired to acquire Louisiana and wished first to regain the friendship of America. This provided for peace, declared the alliance of 1778 dissolved in exchange for the surrender of our claims for damages done to our commerce by the French, and gave guarantees that as neutrals we should thereafter be free from arbitrary interference with legitimate commerce.

Federalists and Republicans (1798–1802)

Anti-alien laws.

MacDonald, *Documents*, Nos. 17–19.

Johnston, *Am. Pol. Hist.*, I, 181–184.

Bassett, *Federalist System*, 252–259.

225. The Alien and Sedition Laws (1798). — The publication of the insulting "X. Y. Z. letters," and the popular enthusiasm in favor of strong measures against the French, caused the Federalists to pass three acts aimed ostensibly at aliens, but really designed to silence the vicious attacks upon the administration made by Republican journalists who were of foreign birth. The Naturalization Act provided that no alien could become a citizen until he had resided in the United States fourteen years. By the Alien Act the president might for two years order all aliens whom he considered dangerous to the United States or engaged in secret machinations against the government to leave the country.[1]

[1] An Alien Enemy's Act was passed a fortnight after the first Alien Act. In case of war or invasion, the president might order the arrest of any adult male citizen of the nation with whom we were at war.

Many foreigners, fearing that the government might apply this law strictly, left the United States of their own accord.

Sedition Act.

The Sedition Act was much more drastic.[1] It provided fines and imprisonment for any person guilty of impeding the enforcement of national law or for any one who might "write, print, utter, or publish any false, scandalous, and malicious writing or writings" against any national officials with intent to defame them or bring them into contempt or disrepute. Under this act, the Federalists attempted to prevent the reëlection of Representative Lyon of Vermont. Lyon was arrested, tried, and sentenced to imprisonment for four months and the payment of a fine of $1000. His fine was paid by friends, and his district reëlected him to Congress. The Sedition Act stirred up more hatred than it suppressed, and reacted upon the Federalists, in the end destroying the popularity caused by the war excitement. Such arbitrary government was not possible in a free and enlightened republic.

MacDonald, *Documents*, No. 20.

Johnston, *Am. Pol. Hist.*, I, 184–188.

Bassett, *Federalist System*, 259–264.

McMaster, *United States*, II, 396–404.

226. The Kentucky and Virginia Resolutions (1798–1799). — The Republican leaders quickly took advantage of these Federalist blunders and strengthened their organization, especially in the South and West. Among the means used for undermining Federalist power were protests issued by certain legislatures against the anti-foreign laws enacted during the summer of 1798. The first of these resolutions was suggested by Jefferson to the Kentucky legislature, and is a truly remarkable document. It asserted that the central government was created by a compact of the states for special purposes only, "and that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force." It maintained that the government of the United States is not the judge of the powers that are conferred in the Constitution, but that each state "has an equal right to judge for itself, as well of infractions as of the mode and measure of redress." The violations of which complaint was made were discussed at

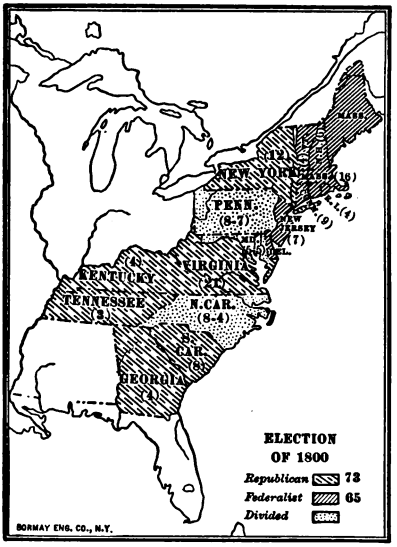
Principles announced.

MacDonald, *Documents*, Nos. 21–23.

Bassett, *Federalist System*, 265–271.

[1] The Sedition Act expired by limitation March 4, 1801.

some length. These resolutions, adopted in November, 1798, were submitted to the legislatures of the other states, seven of which in their replies distinctly denied the right of the states to nullify a national law. Virginia protested in resolutions drawn up by Madison against the Alien and Sedition acts as "palpable and alarming infractions of the Constitution," although the tone of the Virginia resolutions was much milder than that of those adopted in Kentucky. With these replies before it, the next legislature of Kentucky declared its attachment to the Union, reaffirmed its previous assertions, and added that, as the sovereign states have the unquestionable right to judge of any infraction of the Constitution, "a *nullification* by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy."



Candidates and campaign.

227. The Election of 1800.—The presidential election of 1800 was interesting and exciting. Parties were much better organized than four years earlier, and the electors were now required to vote in accord with instructions rather than to follow their own judgment. The candidates were again Adams and Jefferson, the Republicans uniting upon Aaron Burr of New York for vice president, and the Federalists selecting C. C. Pinckney of South Carolina for the second place. Adams had not added to his popularity during his four years of office. He had made the mistake

Morse, *Jefferson*, 195–200.

McMaster, *United States*, II, 493–508.

of retaining Washington's cabinet, dismissing the members who opposed him only a short time before the election of 1800. The breach with Hamilton had been widened, and Adams was obliged to shoulder responsibility for the odious anti-foreign laws of 1798.

Election.

Nevertheless the election was not one-sided. Jefferson and Burr received seventy-three votes each, Adams obtained sixty-five, and Pinckney sixty-four. As the electors, according to the Constitution, did not designate which candidate was to be president and which vice president, the House of Representatives, voting by states, was obliged to select the chief executive. None questioned for an instant that Jefferson was the real candidate of the Republicans, but the House was Federalist and for a time it looked as though the Federalists in their chagrin would vote for Burr. Fortunately, Hamilton used his influence in favor of Jefferson, and on the thirty-sixth ballot Jefferson was chosen president. Three years later Congress proposed as a twelfth amendment to the Constitution that the electors designate the office of the candidates for whom they voted. This was adopted without delay, and is the method used at the present time.

McMaster, *United States*, II, 508–517, 522–526.

Stanwood, *Presidency*, Chapter V.

Federalist appointments.

Finding that the election had gone against them, the Federalist Congress passed a Judiciary Act providing for circuit judgeships which Adams filled with members of his own party. With unseemly greed the Federalists seized upon every office that was vacant in order to reduce the patronage of the new administration; but at midnight, March 3, 1801, this work of spoliation was checked by Jefferson's attorney-general, who entered the office of Secretary of State Marshall, and stopped the signing of commissions.

Schouler, *United States*, I, 500–504.

Inauguration.

228. Jefferson and his Party. — The inauguration of Jefferson was marked by a simplicity lacking in those of his predecessors. Without parade, in the dress of an ordinary citizen, he proceeded to the capitol and delivered an inaugural address, noteworthy for its breadth and moderation. The most skillful partisan leader of his time, he decried

Schouler, *United States*, II, 1–6.

Adams, *United States*, I, 185–208.

party animosities. "Every difference of opinion is not a difference of principle. We are all Republicans — we are all Federalists." In eloquent language he summarized the principles on which our government is based — equal and exact justice to all men, "peace, commerce, and honest friendship with all nations, entangling alliances with none," the support of the state governments in all their rights, the preservation of the general government in its whole constitutional vigor, a jealous care of the right of election by the people, the supremacy of the civil over the military authority, economy in the public service, and the maintenance of individual freedom.

Views of Jefferson.

Thus auspiciously did the members of Jefferson's party come into control of the national government, a position which they held with few interruptions for sixty years. Although their views and practices changed greatly during those six decades, they followed in the main the lines laid down by their great leader. Jefferson had something of the demagogue in his disposition, and had no scruples against reversing his previous policies if anything was to be gained, but he was consistent in his desire to make the United States a democratic nation, and in that consists his greatest service to his country. Under the Federalists the central government had been strengthened, so that its permanence was assured, but it was out of touch with the people and distrusted by them. Jefferson, rightly reading the future, foresaw that the nation would become democratic and that our governments must become so. More than any one else he aided in this movement of extending power to the masses. He trusted the people and sought in every way to give every man equal opportunities and equal privileges.

Hart, *Contemporaries*, III, No. 106.

Johnston, *Am. Pol. Hist.*, I, 253–258.

The man Jefferson and his advisers.

At the time of his election Jefferson was in his fifty-ninth year, and had devoted half his life to public affairs. As the writer of the Declaration of Independence, he had gained an international reputation early in life. During the Confederation he had rendered inestimable services in the cause of freedom in his own state and in the West. He had served

abroad, and had been secretary of state under Washington, but had not made a brilliant diplomat. Tall and ungainly in appearance, rather eccentric in manner, and given to an ostentatious simplicity of dress, he nevertheless possessed a bright, pleasant way which made him extremely popular. In the direction of national affairs he called to his aid, among others, James Madison, who was secretary of state, and Albert Gallatin, who was placed in charge of the finances. By these three able and patriotic leaders were the interests of America considered and protected amid the many difficulties that beset Jefferson's two administrations.

Channing, *Jeffersonian System*, 4–10.

THOMAS JEFFERSON

229. Reversal of Federalist Practices. — Jefferson believed that his party had saved the government from becoming monarchical, and therefore considered his election a revolution as important as that of 1776. In point of fact few policies of the Federalists were reversed, although some of their practices were changed, and the most objectionable of their laws were repealed. For purely personal reasons Jefferson, who was a poor speaker, did not address the houses of Congress after the manner of Washington and Adams, but sent to them a written message — a custom followed by all of his successors.

Jefferson's general policy.

Attitude toward removals.

At the time of his inauguration, most of the offices were held by political opponents, whom he retained, except in a few cases. Resisting the clamor of his friends for recognition, Jefferson made few removals except for incompetency and gave some of the positions made vacant to moderate Federalists.

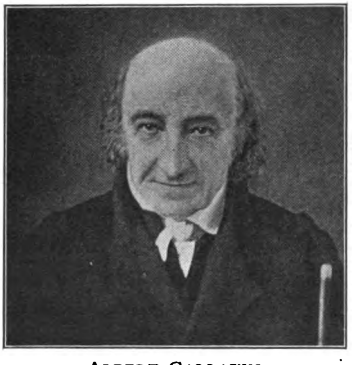
Channing, *Jeffersonian System*, 10–17.

McMaster, *United States*, II, 583–588.

Financial, military, and naval policies.

Dewey, *Financial Hist.*, §§ 54–57.

The financial policy of the administration was outlined by Gallatin, the secretary of the treasury. Under the Federalists taxes had been multiplied, and the revenue had increased constantly, but expenditures had increased in even greater proportion because the Federalists believed in a comparatively large army and navy, and desired the expansion of national authority regardless of expense. The national debt was, in consequence, eight millions more in 1801 than in 1791. This debt Gallatin planned to pay within less than twenty years, principally by reducing military and naval expenditures. At his suggestion and in accordance with the wishes of the President, the army was reduced to three thousand men, and many of the naval vessels were placed out of commission, the protection of the coasts being left to tiny "gunboats" which were as inexpensive as they were ineffective. At the same session of Congress, the internal revenue taxes, which had been from the beginning odious to the Republicans, were repealed, the loss of income from this source being comparatively slight.



ALBERT GALLATIN

Changes in the judiciary.

Schouler, *United States*, II, 25–27.

McMaster, *United States*, II, 607–612.

230. **The National Courts.** — The Republicans attempted to undo the work of their predecessors by attacks upon the courts. The scandalous Judiciary Act of 1801 which created unnecessary circuit judgeships, and provided berths for many partisans whose terms of office were expiring, was repealed in 1802. Other acts were passed which reduced greatly the number of cases likely to be brought before national tribunals. No change was made, however, at this time in the Supreme Court, to the chief justiceship of which

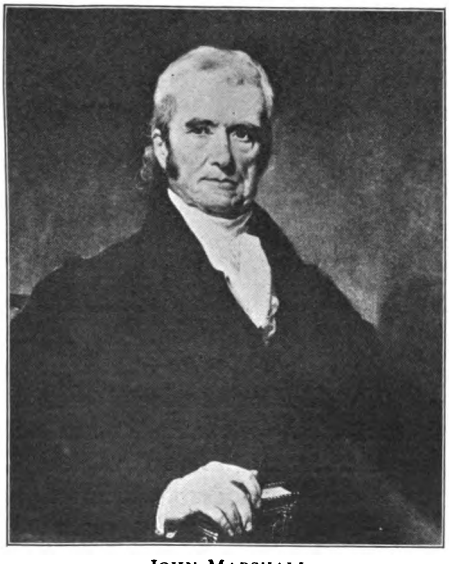
John Marshall had been appointed by President Adams six weeks before the close of his term.

John Marshall.

This great jurist, for over thirty years the head of the highest court of the United States, exerted an influence upon the development of a strong national government within the United States which was second to that of no other man. By force of intellect he dominated the court long after the Republicans had gained a majority of the places on the bench, and in a series of decisions marked by unanswerable logic (§ 254) made the powers of the Constitution so real that even his political opponents accepted his views and used in the most liberal way the powers conferred on the national government by the Constitution.

Willoughby, *Supreme Court*, 89–90.

Lodge, *Fighting Frigate*, 25–64.



JOHN MARSHALL

The Republicans showed their distrust of the courts also in attempting to remove a number of judges. In Pennsylvania most of the judges in the highest court were impeached, but retained their positions because the moderate Republicans believed that conviction for partisan reasons was a menace to free government. United States District Judge Pickering was impeached and found guilty, though not for political offenses. Much the most conspicuous case was that of Justice Chase of the Supreme Court. Although a man of parts, he had aroused the animosity of his oppo-

Impeachment of judges.

Schouler, *United States*, II, 86–89.

nents by his biased conduct in one or two semi-political trials and by offensive remarks in a political speech. His prosecution before the Senate was conducted by John Randolph, a most eccentric individual whose conduct of the case was absurdly incompetent. Chase was defended ably and was acquitted. These impeachments, although undertaken for partisan reasons, had a wholesome influence in preventing further abuses of judicial privileges. The acquittals likewise were most fortunate, for they insured the protection of the courts against unjust attacks by their enemies.

Western Problems (1800–1806)

Importance of the river to the West.

Hart, *Contemporaries*, III, No. 111.

231. Disputes over the Lower Mississippi River. — The most momentous question that arose during Jefferson's first administration was concerned with the purchase of Louisiana. This important addition to our territory was the outgrowth of controversies over the navigation of the Mississippi River and the right of deposit at the mouth of that river. Before 1800 Spain controlled the western bank of the river as well as the eastern bank for two hundred miles from its mouth. But the inhabitants of the region west of the Alleghanies needed both the navigation of the river — their natural means of communicating with the outside world, since it was extremely difficult for them to carry their products across the Alleghanies — and a right of deposit near the mouth for goods to be shipped abroad.

Disputes before 1800.

Turner, F. J., in *Review of Reviews*, XXVIII (1903), 578–581.

We noticed (§ 182) the storm of protest that greeted the proposal to close the Mississippi for twenty-five years at a time when the West was settled very little. In the absence of treaty agreements, however, Spain had not been punctilious about interfering with our western trade until in 1795 Thomas Pinckney concluded a treaty with that power. Alarmed by Jay's treaty (§ 222) and by the prospect of an alliance between Great Britain and the United States, Spain recognized the thirty-first parallel as the northern boundary of West Florida, opened the Mississippi to our commerce,

THE
UNITED STATES
IN 1800
SCALE OF MILES
0 100 200 300
JAMES BAY
CANADA
(British)
L. SUPERIOR
L. HURON
L. MICHIGAN
L. ONTARIO
L. ERIE
INDIANA TERRITORY 1800
NORTHWEST TERRITORY
LOUISIANA
(Spanish)
Mississippi R.
Ohio R.
Chattahoochee R.
Savannah R.
Hudson R.
St. Lawrence R.
St. Johns R.
St. Croix R.
Quebec
Montreal
Oswego
Albany
Hartford
New Haven
New York
Boston
Portsmouth
Portland
Augusta
DISPUTED
MASS.
VERMONT
NEW HAMPSHIRE
MASS.
CONN.
N. JERSEY
NEW YORK
PENNSYLVANIA
Pittsburg
Trenton
Philadelphia
Baltimore
MARYLAND
DEL.
Washington
Cleveland
Marietta
Cincinnati
Ft. Recovery
Vincennes
Kaskaskia
St. Louis
Louisville
Lexington
KENTUCKY
VIRGINIA
Richmond
Nashville
Knoxville
TENNESSEE
Chattanooga
NORTH CAROLINA
TERRITORY SOUTH OF TENNESSEE
CLAIMED BY GEORGIA
SOUTH CAROLINA
Augusta
Wilmington
Charleston
Savannah
GEORGIA
MISSISSIPPI TERRITORY
Natchez
Mobile
Pensacola
New Orleans
FLORIDA
(Spanish)
St. Augustine
ATLANTIC OCEAN
GULF OF MEXICO
Longitude West from Greenwich
BORMAY ENG. CO., N.Y.

and gave us a right of deposit at New Orleans. Spain was the more willing to make these concessions in order to gain the goodwill of the United States, because France was very anxious to regain Louisiana and Great Britain was willing to intrigue for its possession, and at this time the United States was less grasping than either of the great European rivals.

Ogg, *Mississippi*, 419–439.

In 1800 Napoleon, now first consul of France, forced the king of Spain to sign the treaty of San Ildefonso, and to cede him Louisiana, on the express stipulation, however, that it should never be transferred to any other power. When this treaty became known in America the next year, Robert R. Livingston, our minister to France, was instructed to purchase if possible the Isle of Orleans, upon which New Orleans is located, and West Florida, so as to give us control of the entire east bank of the Mississippi. Soon after, and before the actual transfer of Louisiana to France, the Spanish officials at New Orleans took away our right of deposit, thereby arousing a demand for war throughout the West. The importance of the Mississippi to the West and to the country at large, and the danger to the United States of having a powerful nation in control of the mouth of the Mississippi, may be appreciated from the emphatic language of Jefferson, whose sympathies before that time had been distinctly French. "The day that France takes possession of New Orleans . . . we must marry ourselves to the British fleet and nation." "By uniting with Great Britain, we must make the first cannon which shall be fired in Europe the signal for the tearing up of any settlement she [France] may have made."

Louisiana (1800–1803).

Channing, *Jeffersonian System*, 51–64.

Adams, *United States*, I, 352 *et seq.*

232. The Purchase of Louisiana. — The purchase of New Orleans, and if possible West Florida, was desired so much that James Monroe was selected to act with Livingston, who had already been authorized to expend $10,000,000 for these few thousand square miles of swampy land.[1] But

Negotiations.

Hart, *Contemporaries*, III, No. 112.

[1] The instructions to Livingston emphasized more than anything else the need of control by the United States of the east bank of the Mississippi;

Channing, *Jeffersonian System*, 64–72.

McMaster, *United States*, II, 625–631.

just as Monroe reached Paris, after Livingston had spent several months negotiating in vain for the east bank of the Mississippi, Napoleon offered to sell all of Louisiana. He had hoped to make this vast region the foundation of a colonial empire, but the army which was needed to hold it had been destroyed in insurrections in San Domingo, war was soon to begin in Europe, and the maritime superiority of England left all of the French colonies exposed to her attacks. Although our representatives at Paris were not authorized to purchase so vast a region, they did not hesitate long, and after some haggling over the price, on April 30, 1803, Louisiana became ours for the paltry sum of $15,000,000.[1] As Talleyrand, the French minister of foreign affairs, said, we had made a "noble bargain." In the words of Livingston, "We have lived long, but we have this day done the noblest work of our lives."

Ratification of the treaty.

Hart, *Contemporaries*, III, No. 113.

McMaster, *United States*, III, 1–9.

Ogg, *Mississippi*, 543–558.

Jefferson believed that the Constitution did not authorize such an action as this purchase and would have preferred to wait for an amendment to that instrument giving him unquestioned authority. But time was all important. Napoleon might repent, England was likely to be jealous, and Spain sure to protest. Jefferson's cabinet advised ratification at once, and his friends persuaded him that the power to make treaties gave him the right to acquire territory. Congress was called for an early date, and, as the purchase was very popular, the Senate ratified the treaty after a comparatively brief debate. Public sentiment had changed so that no one now considered the annexation of Louisiana by treaty to be unconstitutional; but the Federalists, who feared that the West might come to dominate the East, claimed that no states could be admitted from this territory. In this

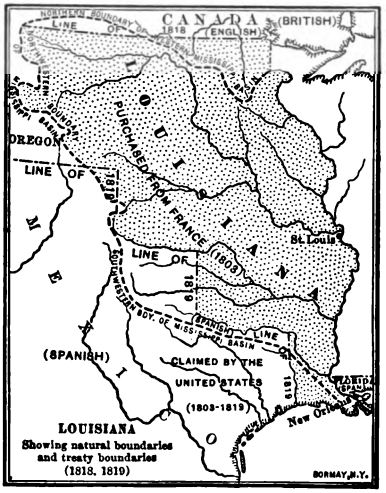
if France would sell us West Florida and New Orleans, we agreed to guarantee to her the west bank of the Mississippi, and if France refused our request, arrangements were to be made for an alliance with Great Britain.

[1] Sixty million francs in 6 per cent stock of its United States and twenty million francs to be paid by the United States to our citizens for damages done by French men-of-war before 1800.

they were opposed by the Republicans who had completely abandoned their strict constructionist views, and from this time made a fairly liberal use of "implied powers." When the first state, Louisiana, was admitted from this territory (1812), however, several Federalists maintained that it was sufficient cause for secession from the Union.

Indefinite boundaries. West Florida.

233. Extent and Importance of Louisiana. — The boundaries of this immense region were intentionally left indefinite. The Louisiana treaty copied the words of the treaty of 1800 between France and Spain, which were, "Louisiana with the same extent that it now has in the hands of Spain, and that it had when France possessed it" before 1762. But these limits never had been determined.[1] Livingston claimed that they included West Florida, but Napoleon would not support his claim, and we know now that, although Napoleon coveted West Florida, he did not consider it a part of Louisiana. Nevertheless, the doubt regarding the southeastern boundary and our former desire to obtain West Florida, led the United States to seize the disputed strip before the beginning of hostilities with Great Britain in 1812.



McMaster, *United States*, III, 31–34, 371–375.

[1] In order to explore parts of the new territory, parties were sent respectively to the source of the Mississippi, up the Missouri and across by the Arkansas to the Rocky Mountains, the summit of which was thought to be the limit of Louisiana on the northwest. The expedition under Lewis and Clark crossed the Rockies (1805) and descended the Snake and Oregon rivers, thus giving us a better claim to the Oregon country. (See § 303.)

Texan problem.

On the southwest a much larger, if at that time less interesting territory, was claimed by both the United States and Spain. Spain would have restricted us to the Mississippi basin, with scarcely any of the Gulf coast, but many Americans believed the Rio Grande to be the dividing line between Louisiana and Mexico. In 1819 this country gave up its claim to all land west of the Sabine River in return for the cession of East Florida (§ 261).

Channing, *Jeffersonian System*, 77–79.

Significance of the purchase.

The purchase of Louisiana had a very great influence on the future of the United States. It doubled the area of the United States, giving us complete control of the entire Mississippi basin and permitting expansion to the Pacific. It removed obstructions to commerce in the western states and prevented international complications with the nations that held or sought to seize Louisiana. It compelled the Republican party to abandon its old strict construction position, and increased the power of the national government by giving it control of a vast region. In the territory acquired at this time a true democracy and a national spirit were developed which influenced the rest of the people. In this territory occurred the great struggle between the forces favoring the extension or exclusion of slavery, which ended in civil war. Finally, the great West has contributed in innumerable ways to the economic development of the greatest agricultural and commercial nation of the world.

Plot and trial.

234. The Burr Conspiracy (1805–1806). — Soon after the annexation of Louisiana the West became the scene of a remarkable conspiracy formed under the leadership of Aaron Burr. This was one of the last of the numerous attempts to separate the West from the East and organize the West under a distinct government, because the two sections had so little in common. In 1804 Vice President Burr, failing of election as governor of New York largely through the efforts of Alexander Hamilton, challenged the latter to a duel, which resulted in the death of Hamilton. Burr was obliged to flee from the East and devoted his attention to the formation in the Southwest of a confederacy

Hart, *Contemporaries*, III, No. 109.

Schouler, *United States*, II, 68–74.

to be ruled by himself. It is generally supposed that Burr wished to detach the western states from the Union and then conquer Mexico. Burr's movements were reported at Washington, but for a long time nothing was done, although Burr had the support of a large part of the West and was in secret correspondence with General Wilkinson, the commander of the army at New Orleans. Burr was arrested at length and brought to Richmond, Virginia, where he was tried in the Circuit Court on the charge of treason, Chief Justice Marshall presiding. President Jefferson was summoned to appear at the trial with papers, but refused, although the papers were sent. The evidence being insufficient, Burr was released after a tedious trial lasting six months.

Commercial Warfare (1805–1811)

Our neutral carrying trade.

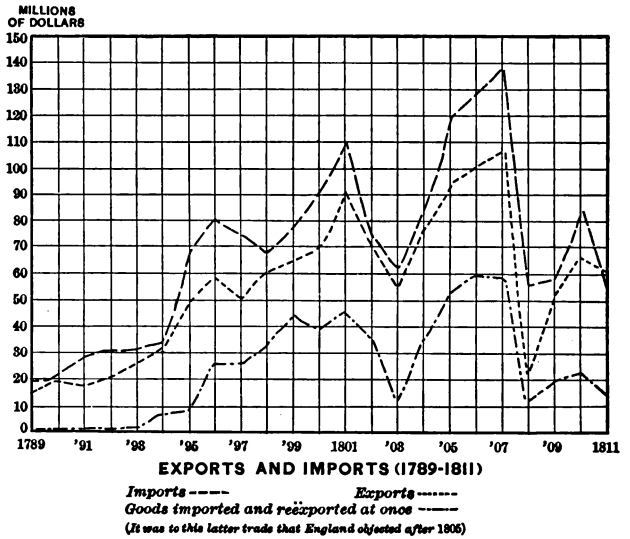
Commerce, 1789–1811.

235. European War and American Commerce before 1806. — The wars waged by England and France between 1793 and 1815 made possible an abnormal development of American commerce. Because of the naval superiority of Great Britain, France and her allies had been unable to trade with her colonies and had accordingly opened her colonial ports to neutral trading vessels. In spite of the attempt made by Great Britain to apply the Rule of 1756, which prevented our carrying goods directly between a colony and a mother country, our foreign commerce had increased threefold between 1792 and 1796 and had nearly doubled between 1796 and 1805. But the risks incurred increased with the amount of the traffic. Both Great Britain and France exercised the right of seizing goods of their enemies on neutral ships, notwithstanding the American claim that "free ships make free goods." Contraband of war was forfeitable if discovered, and neutral ships carrying it were often confiscated as aiding the enemy. This would have been a fair practice had the term "contraband of war" been defined justly; but when it was held to include breadstuffs, the most important of American exports, the United States had just cause for complaint.

New interpretation of Rule of 1756.

McMaster, *United States*, III, 220–228.

Still more serious was the interference with neutral trade because of a new interpretation of the "Rule of 1756." Before 1805, American vessels had been permitted to obtain a cargo in the French or Spanish West Indies, sail to a port of the United States, remove their cargoes, and give bonds that their goods would be reëxported, and, after reloading, sail for continental Europe. In May, 1805, the



highest British court of Admiralty decided that this practice was an evasion of the "Rule of 1756" and as such must be stopped. This was the beginning of a carnival of confiscation that lasted for several years. Rather than give up the lucrative trade between Europe and the West Indies, the American vessels took their chances of capture. No company of underwriters would insure ships or cargoes engaged in this perilous trade, but profits increased with the risk. Great fortunes were made although many shippers became bankrupt because of the wholesale seizures made by English cruisers.

236. The Impressment of American Seamen.—This growing trade, attended by such personal perils, caused a marked rise in the wages of ordinary seamen. Naturally many English sailors were employed in this business, and as wages continued to rise, hundreds of men from the British war vessels deserted and applied for positions in our merchant marine. In many cases these deserters were able to buy papers declaring that they were American citizens. To seize these traitors and to impress all the British sailors possible, the English cruisers now redoubled their efforts in searching American vessels. Every harbor on the coast of the United States was watched and every outgoing vessel searched. On the theory that "once a British citizen, always a British citizen," thousands of naturalized Americans were carried off. Hundreds of native Americans were impressed, as it was often difficult to distinguish between American and British-born seamen. The government of the United States offered to see that all deserters were returned if England would give up the claim to search American ships, but to no avail, and the ill feeling against Great Britain deepened.

Impressment from American vessels.

McMaster, *United States*, III, 240–245.

Hart, *Contemporaries*, III, Nos. 116–118.

An opportunity now came to the English ministry to gain the goodwill of the United States. Jay's treaty had expired, and Jefferson was anxious to make a new treaty dealing with the questions of impressment and neutral trade. But so little would the English government yield that the treaty did not mention impressment and was not even submitted by the President to the Senate.

Attempted treaty (1806).

McMaster, *United States*, III, 249–253.

A little later, in June, 1807, war between the two nations seemed imminent. The warship *Leopard* demanded from the *Chesapeake* the surrender of three deserters, two of whom were American-born and had been forced into the British navy. When the demand was unheeded, the *Leopard*, the more powerful boat, fired on the *Chesapeake*, killing three and wounding eighteen of her crew. This outrage caused intense excitement, but was quickly disavowed by the English government. Four years later reparation was made

Chesapeake affair (1807).

Hart, *Contemporaries*, III, No. 119.

Schouler, *United States*, II, 163–169.

by appropriating money for the families of those slain or injured, but in the meantime Great Britain exercised with the greatest freedom the "wrong of search."

Earlier orders and decrees.

237. Orders and Decrees (1806–1807). — The victory of the English fleet under Nelson over the combined fleets of France and Spain at Trafalgar in 1805 definitely settled the supremacy of England on the sea. The years 1805 and 1806 saw Napoleon master of all western Europe after the humiliation of Austria at Austerlitz and of Prussia at Jena. As neither foe could strike the other directly, Napoleon now attempted to crush England by shutting off her trade with the continent, on which her prosperity depended to a large extent, while England tried to prevent the French and their allies from receiving supplies from their colonies and from neutral nations. Napoleon made the first move by closing the ports of Prussia to English ships. England responded by an order in council (May, 1806) blockading the coast from the Elbe to Brest. Napoleon in his Berlin decree (November, 1806) announced a blockade of the British Isles and declared all English merchandise subject to confiscation. These blockades were not enforced, but English cruisers seized neutral ships on the way to the forbidden continental ports, and the French did not hesitate to appropriate American vessels that were carrying British exports to the continent.

Hart, *Contemporaries*, III, No. 120.

McMaster, *United States*, III, 248–250.

Later restrictions on trade.

Much more drastic were the proclamations issued the next year. British orders in council adopted in November, 1807, demanded that all neutral vessels bound for a port of the enemy must first touch at an English port, and pay duty or be liable to confiscation. When Napoleon heard of these orders, he immediately issued his Milan Decree, declaring that all ships were forfeited which traded with Great Britain or stopped at an English port on their way to the continent and paid duties. Between the millstones of English greed and French spite, American commerce was likely to be ground to destruction.

McMaster, *United States*, III, 273–275.

Johnston, *Am. Pol. Hist.*, I, 289–296.

238. The Embargo (1807). — Congress was in session

when news was brought of the orders in council of November, 1807. President Jefferson suggested an embargo and within four days the act became a law, December 22, 1807. The general feeling is expressed in the words of John Quincy Adams, who took this opportunity to identify himself with the Republican party. "The President has recommended the measure on his high responsibility. I would not consider, I would not deliberate, I would act." No vessel was allowed to leave the United States for a foreign port, and no ship could engage in the coasting trade unless it gave bonds for twice the value of the ship and cargo that the goods it carried would be landed in the United States. The law, made more specific in supplementary acts, was not enforced easily. Along the northern border a large amount of smuggling was done. So clever were many of the evasions that at length it was necessary to demand that all vessels be laden under the supervision of a revenue officer.

Original Embargo Act.

MacDonald, *Documents*, No. 27.

Hart, *Contemporaries*, III, No. 121.

McMaster, *United States*, III, 276–281.

President Jefferson, once the strictest of strict constructionists, was obliged to use autocratic powers. Our foreign commerce disappeared. The ships which were abroad when the embargo was laid stayed away, only to be seized by Napoleon, who said he would be glad to aid us in enforcing the embargo. In New England business was at a standstill, most of the capital being tied up in the ships which were rotting at the wharves. Nor did shipowners submit without a murmur. Protests came to the President constantly. On the anniversary of the passage of the embargo, processions with ships draped in black paraded many of the seacoast towns. Popular discontent was so great that in the fall of 1808 the Federalists carried several hitherto Republican states. Yet the Congress which met immediately after, advocated the reverse of repeal, and on January 9, 1809, passed a force act making it a crime to export anything from the United States, giving collectors the power to seize wagons or boats headed toward the boundary and articles that they thought might be intended for export. The president was authorized to employ the army and navy in enforcing the

Enforcement and repeal.

Hart, *Contemporaries*, III, No. 122.

Johnston, *Am. Pol. Hist.*, I, 297–300.

law. The scenes that followed in New England brought back the days of the Stamp Act. Collectors resigned, meetings were held, protests and memorials were sent to Washington, committees of safety were formed, militiamen to enforce the law were refused, and even secession was suggested. The embargo majority in Congress was swept away by this storm, and the embargo acts were repealed on the first of March, 1809.

Effect abroad.

239. **Indirect Results of the Embargo.** — Foreign trade had been prohibited with the expectation of starving Europe into submission to our demands. The total cessation of the chief neutral carrying trade was undoubtedly a loss to the wealthy European colonies in the West Indies and a deprivation to the continental countries, but the chief damage was to America, as noted in the preceding section. As Armstrong, our minister to France, wrote, "We have somewhat overrated our means of coercion. Here it is not felt, and in England . . . it is forgotten." It had at least one good influence abroad, however, in showing that the United States, though unwilling to try the fortunes of war, was ready to undergo unusual hardships rather than submit to the humiliating proclamations against neutral trade. Furthermore, had there been no embargo, the enforcement of the last orders in council and the Milan Decree might have led to a war more futile, more prolonged, and more annoying than that which broke out four and one-half years later.

Economic results.

In one sense the embargo marks the beginning of the United States as a manufacturing nation. Cut off as we were from the importation of manufactured articles that had formerly been brought from Europe, especially England, a large amount of homespun cloth, steel goods, furniture, and other articles was produced, particularly in New England, where the capital formerly devoted to trading was now in many cases used in manufacturing.

Adams, *United States*, IV, 274–284, V, 14–20.

Constitutional results.

From a constitutional standpoint also, the influence of the embargo was important. The Constitution allows Congress to regulate foreign commerce, but nowhere au-

thorizes the prohibition of all trade with other countries. The passage and enforcement of the embargo involved therefore a much more liberal use of the implied powers of Congress than had been undertaken by the Federalists. Jefferson and his party had abandoned, without hope of return, their former position as really strict constructionists of the Constitution.

Provisions.

240. The Non-Intercourse Act (1809). — The repeal of the embargo acts was accompanied by the passage of a law providing that there should be no commercial intercourse with either England or France so long as their orders and decrees remained in force. If these were revoked, the president had the right by proclamation to renew commerce with the nation that had withdrawn its objectionable restrictions on our trade. This discretion was to be exercised by James Madison, who took the oath of office as president three days after the law had been signed. A sincere lover of peace, and a student of politics rather than a practical politician, Madison could be counted on to prevent actual hostilities if possible, as he had done during his eight years of service as Jefferson's secretary of state.

MacDonald, *Documents*, No. 28.

Erskine treaty.

England's minister, David M. Erskine, was as desirous as Madison to reëstablish cordial relations between his nation and the United States. Accordingly he offered to have the orders in council withdrawn on the 10th of June, 1809, if the United States would cease to discriminate against English commerce.[1] Amid the general rejoicing over this settlement of difficulties with Great Britain came news that Erskine had been recalled and his acts disavowed, and, after a brief interval, the orders in council were enforced with greater vigor. The United States had added another failure to her already long list in her attempts to protect our trade abroad.

McMaster, *United States*, III, 340–349.

[1] In doing this Erskine undoubtedly exceeded his instructions, but Madison, glad of the opportunity to discontinue so large a part of the commercial warfare we had been waging, did not wait to learn whether Erskine's action would be endorsed by the English ministry, and proclaimed that trade with England would be resumed June 10.

French protests.

Napoleon was no more submissive to the Non-intercourse Act than was Great Britain. As the act prevented trade with France and threatened confiscation to any French ships found in American ports, Napoleon retaliated with spirit by seizing and selling all the American ships that entered ports of his allies. This policy of confiscation he strengthened by issuing in March, 1810, the Rambouillet Decree, by which all American ships trading with France or countries subject to France were to be sold and the proceeds placed in the "chest of death." Within two months one hundred and thirty-four ships had been confiscated, making a total of $10,000,000 obtained by Napoleon from American spoliations since the passage of the Non-intercourse Act.

Schouler, *United States*, II, 335-340.

Provisions.

241. The Macon Bill, No. 2 (1810). — Non-intercourse, as embodied in the bill of 1809, was seen to be unsatisfactory. A substitute was adopted finally by Congress on May 1, 1810. This provided for a renewal of trade with all countries, but, if either France or Great Britain should withdraw her proclamations against American commerce, our government should give the other three months in which to withdraw her decrees. If the latter still continued to discriminate against our trade, we should revive non-intercourse with that nation.

Napoleon's trickery.

Napoleon saw that his chance had come to embroil the United States with Great Britain, to his own advantage. With half promises that restitution should be made to America for the ships he had seized, he agreed that on November 1, 1810, he would revoke the Berlin and Milan decrees if England would recall her orders in council, or if the United States would compel Great Britain to respect our rights on the ocean. Our government consequently sought in every way to secure the revocation of the English orders in council, but in vain. On November 2, therefore, President Madison proclaimed that if the orders were not withdrawn by February 1, 1811, non-intercourse should go into effect again with Great Britain. The tricky emperor, without compensating American merchants for losses at his hands, by a halting and par-

McMaster, *United States*, III, 368-394, 424-426.

tial removal of restrictions on our trade, had skillfully made the United States an instrument for injuring British commerce, at the same time that he had caused England to seem the chief offender. For Great Britain, claiming that the French decrees were still in force, refused to modify her orders, and on March 2, 1811, Congress passed the last of its commercial acts designed to maintain peace, and prohibited all trade with England in British vessels.

Financial and party problems.

242. Summary. — Fortunately the chief problems of internal organization had been completed before we became involved in the contests of Europe after 1793. Most of the pressing problems of finance had been solved by the adoption of Hamilton's plan for a complete system of taxes, for reducing the debt, and the assumption of state debts. The adoption of this financial policy was the cause of disputes between two sets of people who in time organized political parties with definite views regarding the respective powers of the national and state governments, on European questions, and on popular participation in the work of government. Under the aristocratic Federalist party, the national government was placed upon a firm basis, but the Federalists ruled arbitrarily and permitted their opponents to gain control. This democratic Republican party kept itself in power because every tendency of the times was in favor of government by the people.

Foreign problems after 1793.

We were drawn into foreign disputes because, as neutrals, we enjoyed a large part of the carrying trade carried on before 1793 by one of the combatants, and because several of the nations engaged in the European war controlled or desired territory adjacent to the United States. Our chief complaints were against Great Britain, who objected to our carrying goods directly or indirectly between French colonies and France or her allies in Europe.

Successful treaties (1794–1803).

Although we tried to avoid any part in these European wars, our treaty of 1778 with France caused difficulty at first, and our understanding with England in Jay's treaty (1794) completely altered our relations with the chief nations

at war. The misunderstanding with France which followed Jay's treaty was terminated by the treaty of 1800. In 1803 Napoleon helped us to solve difficulties in the West by ceding all of Louisiana, which affected American development in innumerable ways and to a very great extent.

Commercial discriminations (1805–1811).

The last phase of the European contest during this period in which we were interested was a species of commercial warfare in which France tried to cripple England by cutting off English trade with the continent, and England aimed to destroy the trade of France with the outside world. The United States suffered especially and tried to protect herself by passing embargo and non-intercourse acts which destroyed most of our commerce without injuring the European nations particularly. Having exhausted every peaceable means to obtain relief from commercial discrimination, there seemed to be no honorable course but to declare war in order to protect our rights.

TOPICS

1. INTERNATIONAL INTERESTS IN THE WEST (1790–1800): Roosevelt, "Winning of the West," pp. 251–272; Turner, F. J., in *Atlantic Monthly*, 93 (1904), pp. 676–691, 807–817; Ogg, "Opening of the Mississippi," pp. 410–494.

2. KENTUCKY AND VIRGINIA RESOLUTIONS: Johnston, "American Political History," I, pp. 188–202; Von Holst, "Constitutional History," I, pp. 142–167; Powell, "Nullification and Secession in United States," pp. 50–91.

3. BURR'S CONSPIRACY: Roosevelt, "Winning of the West," IV, pp. 288–307; McMaster, "People of the United States," III, pp. 54–88; Adams, "History of the United States," II, pp. 394–409, III, 299–344; McCaleb, "Aaron Burr Conspiracy."

4. OPPOSITION TO THE EMBARGO: McMaster, "People of the United States," III, pp. 279–307, 323–335; Adams, "History of the United States," IV, pp. 249–289, 339–360; Benton (ed.), "Debates of Congress," III, 677–707, IV, pp. 5–31.

STUDIES

1. Difficulties with the Indians in the Northwest. (King, "Ohio," pp. 241–261.)

2. The situation in Europe (1789–1801). (Adams, "European History," pp. 427–444.)

3. Washington's Farewell Address. (Larned (ed.), "History for Ready Reference," V, pp. 3308–3314.)

4. Debate on the "X. Y. Z." correspondence in Congress. (Benton (ed.), "Debates of Congress," III, pp. 225–242.)

5. Jefferson's first inaugural address. ("American Eloquence," I, pp. 155–163.)

6. Fisher Ames on Jay's treaty. ("American Eloquence," I, pp. 112–130.)

7. Jefferson's views on the constitutionality of Louisiana. (Jefferson, "Writings" (Monticello ed.), X, pp. 407–420.)

8. Significance of the Louisiana purchase. (Turner, F. J., in *Review of Reviews*, XVII (1903), pp. 578–584.)

9. Napoleon's "Continental System." (Andrews, "Historical Development of Modern Europe," I, pp. 49–62.)

10. English customs followed in 1789. (Ford, "American Politics," Chapter VI.)

QUESTIONS

1. How had the state debts been incurred? Should the difference between the net amount of the northern and southern debts have affected the payment? Was assumption necessary? Was it wise? What influence did the financial measures of Hamilton exert on the national government?

2. What is the difference between strict construction in 1791 and at present? What is meant by implied powers? Could the Constitution have survived without the use of implied powers? Mention several duties now performed by the national government which involve the use of implied powers.

3. Could the organization of political parties have been prevented? Explain. Show the position of the parties on democracy, constitutional questions, foreign affairs, other matters. Why did the Federalist party go to pieces after 1800? What part of its work was permanent?

4. Why was the Proclamation of Neutrality in 1793 a wise measure? Show how the year 1795 marks a turning-point in the history of our international relations. Did our standing abroad improve during the rule of the Federalists?

5. Was the election of Jefferson (1800–1801) a political revolution? To what extent was the policy of the national government really changed? Were Jefferson's administrations successful?

6. What was the influence of the Louisiana purchase on territorial expansion, construction of the Constitution, development of nationality, changes in favor of democracy, economic development, the problem of slavery, settlement of international disputes, general progress of the United States?

7. Define the American view of the Rule of 1756, the English view. Was impressment from American vessels justifiable? Was there any reasonable excuse for the orders and decrees of 1806 and 1807? Be specific.

8. On what constitutional grounds might an embargo be declared? What was the effect of the embargo on England? on France? on American commerce? How did the embargo influence the investment of capital within the United States? Give some idea of the real importance of the embargo.

9. Explain each of the problems confronting the national government in 1789 and note those developed later. In what way was an attempt made to solve each? With what success? Give fully.

CHAPTER XII

A NEW NATIONAL SPIRIT (1811–1824)

PRESIDENTS

James Madison (1809–1817) James Monroe (1817–1825)

THE SECOND WAR OF INDEPENDENCE

243. Events Leading to War (1811–1812). The feeling toward England, already bitter, was increased during the years 1811 and 1812 by three unfortunate events. In May of 1811 the *Little Belt*, one of the British vessels occupied in watching our coasts, by some mischance was engaged in action by the *President*, which was a much larger ship. The *Little Belt* was completely crippled, but an investigation freed the American government from blame for the affair, and there was general rejoicing that the *Chesapeake* had been avenged.

Little Belt affair.

McMaster, *United States*, III, 402–406.

Six months later, Governor William Henry Harrison attacked a force of Indians gathered at Tippecanoe creek in Indiana Territory, defeating them with great slaughter and burning their principal town. Under the lead of a Shawnee chieftain, Tecumseh, a confederation of all the Indian tribes in the West had been formed for the purpose of expelling the whites. This movement, it was thought, had received the support of the British in upper Canada.

Victory at Tippecanoe.

Babcock, *Am. Nationality*, 32–36.

Schouler, *United States*, II, 366–370.

The third cause of ill-feeling was the publication in March, 1812, of letters sold to our government by an adventurer, John Henry, who claimed to have been sent in 1810 on a secret mission to New England with the intention of learning whether that section would desert the United States in case of a war with Great Britain.

The Henry letters.

McMaster, *United States*, III, 444–447.

244. Declaration of War (1812). — Prevention of war

Clay and the New Republicans.

Schurz, *Clay*, I, 77–88.

had now become an especially difficult task, for the control within the Republican party had passed from the older and more conservative leaders to a set of young, energetic men who believed further submission to be debasing. Among these young Republicans Henry Clay of Kentucky was the most prominent figure. Brilliant rather than deep, an eloquent speaker, with a rare capacity for making friends, he was a remarkably successful leader. He and his "war-hawks" aroused such an enthusiasm for war that President Madison, desiring a second term, was induced to support their policy.

War declared.

MacDonald, *Documents*, Nos. 29, 30.

McMaster, *United States*, III, 449–452. 454–458.

An increase in the army and navy was voted early in January, 1812. Later, an embargo of ninety days was declared as a preparation for war, and on June 1, 1812, the President's confidential war message was submitted to Congress. Three grievances against England were mentioned: impressment, sham blockades, and intrigues with the western Indians. With but a few days' delay, Congress voted for war, the South and West being almost unanimous for action, while the Northeast voted against the measure, thirty-four of the minority going so far as to issue an unpatriotic manifesto assailing the administration's position.

Beginning of the conflict.

Babcock, *Am. Nationality*, 69–83.

War was declared June 19, and on June 23 the orders in council were withdrawn by England. Had a telegraphic cable been in existence, war might have been avoided. Before this news could reach America, the government had made preparations for increasing its army and building new frigates, and the nation could not easily be dissuaded from the invasion of Canada which had been planned. In New England, the governors refused to furnish troops who should fight outside their respective states, but elsewhere enlistments went on rapidly. With light hearts the people began war on the most powerful nation of Europe. Considering the distance between the continents and the difficulties of the war with Napoleon which had taxed England's resources to the utmost, the disparity was not great.

245. War in the North (1812–1813). — The invasion of

Canada, so much desired, especially by the West, and repeatedly attempted during the first two years of the war, was a complete and humiliating failure. At the beginning of hostilities, General Hull, having crossed into upper Canada, was forced to retire, and, without a blow, surrendered Detroit and all Michigan to the English. Following this came counter invasions of the British into Ohio, and the horrible massacre of the wounded by the Indian allies of the British at the River Raisin, the cry of " Remember the River Raisin " being thereafter the slogan of the western troops.

Loss of the Northwest (1812).

Larned (ed.), *Ready Ref.*, V, 3340–3344.

Babcock, *Am. Nationality*, 84–98.

SCENE OF WAR IN THE NORTH

In the fall of 1813 the tide turned in the Northwest. Oliver H. Perry, having by remarkable efforts completed a fleet on Lake Erie, met and captured a somewhat inferior fleet commanded by an officer who had served under the greatest of British admirals, Nelson. This great victory was announced in the laconic dispatch, " We have met the enemy and they are ours." It was followed by the transfer of Harrison's army to the north shore of Lake Erie and the unequal battle on the Thames River, in which the Indian warrior Tecumseh was slain. This double victory freed the entire Northwest from English control.

Lake Erie and the River Thames (1812).

McMaster, *United States*, IV, 32–41.

Elsewhere on the northern border success did not attend American arms. On the Niagara frontier operations dur-

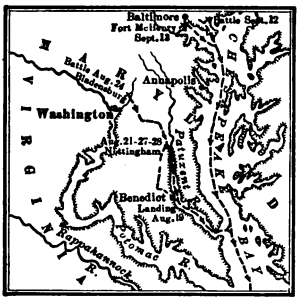
Failures in northern New York (1813).

ing the summer of 1813 had been conducted with more than usual inefficiency by our commanders, and at York (Toronto) the parliamentary buildings had been burned. The St. Lawrence and Champlain basins also had been the scenes of disgraceful mismanagement. Projected invasions of Canada had failed ignominiously, owing to the incapacity of the American generals and their failure to coöperate with each other.

McMaster, *United States*, IV, 41–56.

Successful naval duels.

246. The War on the Ocean (1812–1814). — There is no brighter chapter in American history than the one devoted to the records of the American navy during the War of 1812. Our ships were unable to engage the enemy except in rare instances, but the duels fought between single frigates were in most cases signal victories for the American vessels. During the first year of the war the *Constitution* captured two frigates after short, decisive engagements, the superiority of the Americans being chiefly in seamanship and gunnery, but partially in heavier armament. Especially during 1812 and 1813 did the navy distinguish itself, for, with the progress of the war, the coast was blockaded so carefully that once in port an American frigate could not escape easily.



BRITISH CAMPAIGN AGAINST WASHINGTON, 1814

Losses to commerce.

McMaster, *United States*, IV, 104–116.

Great damage was also inflicted on British commerce by vessels of the navy and privateers. The *Essex* made numerous captures on the Pacific, and the privateers are said to have made prizes of fifteen hundred English merchantmen, a larger number than had been confiscated by Great Britain during the years preceding the war.[1] On the other hand, American commerce was practically destroyed by the war, it being unsafe for our merchant marine on the

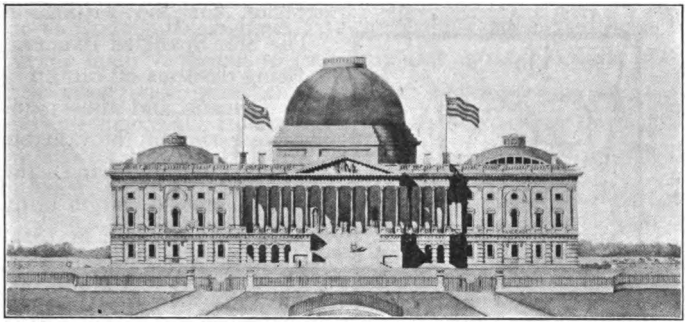
[1] Nearly one half of these were recaptured on their way to American ports.

high seas and all but impossible to evade the strict blockades of the coasts.

247. The Last Year of the War. — With the capture of Paris in 1814 and the subsequent banishment of Napoleon to Elba, England was able to spare many veterans for the war in America. These aided the Canadian militia in the North and took part in the expeditions against Washington and New Orleans. Yet this accession of strength brought the English few successes, for during the rest of the war the

Niagara and Lake Champlain.

Larned (ed.), *Ready Ref.*, V, 3350–3354.



THE CAPITOL, WASHINGTON

Americans were nearly everywhere victorious. During the summer of 1814, General Jacob Brown restored American prestige at Niagara by winning the battles of Chippewa and Lundy's Lane. In the fall of that year an invasion of Lake Champlain was attempted by the Canadians, a large land force being supported by a hastily prepared but by no means insignificant fleet. Their progress was checked at Plattsburg by young Captain Macdonough, who so arranged and managed his vessels that he crippled the superior fleet of the enemy and compelled the withdrawal of both land and naval forces into Canada.

McMaster, *United States*, IV, 56–69.

During the first two years of the war, raids had been made at various points along the coast in which several towns were burned and considerable shipping destroyed. These were supplemented in 1814 by an expedition against Wash-

Washington and Baltimore.

Schouler, *United States*, II, 450–455.

Babcock, *Am. Nationality*, 132–143.

ington and Baltimore. As the capital was practically undefended except by forts on the Potomac, the British advanced without opposition to Bladensburg, where they put to flight a motley force gathered to protect the city. The capitol, White House, and other public buildings were burned, but all of the government officials, including President Madison, made their escape. Advancing toward Baltimore by water, the British were unable to capture Fort McHenry, its chief defense, and withdrew without further successes. The bombardment of this fort by night was the occasion for the writing of "The Star Spangled Banner."

New Orleans (1815).

NEW ORLEANS AND VICINITY

Being desirous of capturing New Orleans and thus gaining possession of the valuable territory of Louisiana, the English sent a large army against that city late in 1814. Its defense was intrusted to Andrew Jackson who had already distinguished himself by his vigor and energy in the destruction of a hostile force of Creek Indians, and by the seizure of Pensacola, which the Spanish had allowed the British to use as a base of operations. With comparatively few regulars, but with large numbers of frontiersmen, Jackson skillfully blocked the efforts of the English general, Pakenham, to reach the city by a flank movement. Pakenham with his veterans then advanced to a front attack along the narrow strip of land between the Mississippi and extensive swamps. The first assault took place on January 8, 1815. Of the Americans, but seven were killed and six were wounded, while the English lost at least twenty-five hundred in their vain attempt to take the American position. This remarkable victory produced general rejoicing and made Andrew Jackson a conspicuous personage.

Larned (ed.), *Ready Ref.*, V, 3358–3359.

Babcock, *Am. Nationality*, 128–132, 144–149.

McMaster, *United States*, IV, 160–171, 180–190.

248. The Treaty of Ghent (1814). — Two weeks before

the battle of New Orleans, a treaty of peace had been signed at Ghent in Belgium. Negotiations for peace had in fact been attempted in 1813 when the Czar of Russia offered his services as mediator. The United States accepted his offer and appointed commissioners, but Great Britain refused to be a party in such an arrangement. The following summer (August, 1814), negotiations were finally begun at Ghent, the United States being represented by three very able men, Albert Gallatin, John Quincy Adams, and Henry Clay, who unfortunately did not agree on the best terms to be made with England. As the British armies had been in the main victorious to that time and as the blockade of our coast was quite effective, her commissioners made several demands, among them the establishment on our northwest frontier of a permanent belt of Indian country under British protection.

Negotiations.

Hart, *Contemporaries*, III, No. 128.

Babcock, *Am. Nationality*, 168–184.

The English finally agreed to give up all their demands and to return territory that had been seized, namely, parts of Maine and Oregon, when our representatives promised that they would not mention the subject of impressment and would not require compensation for ships and cargoes confiscated before 1812. With these terms the commissioners were content, because the conflict between England and France had already ceased and the British navy needed no more sailors. By the American people the treaty was hailed with delight, for they ignored our failure to obtain any of the objects of war, in the general rejoicing over the restoration of peace.

Terms of the treaty.

MacDonald, *Documents*, No. 31.

McMaster, *United States*, IV, 270–276.

Changed Conditions after the War of 1812

249. The New Nationality. — The close of the second war with England marks the beginning of a new epoch in America. Aroused by the commercial discrimination of the leading European nations, the people had become united as never before to uphold the honor and preserve the rights of the American people. Throughout the country there was a feeling of loyalty to the nation, a national pride, a

Independent spirit of the people.

Babcock, *Am. Nationality*, 191–195.

belief in the oneness of the nation and the unity of interests which had never existed before that time. Not only had barriers between the states been broken down, but there was widespread desire to cast aside old forms and customs which had been in use since colonial times and which most people now thought to be outgrown. The new nation had found itself and insisted on doing its work in its own way, not looking to Europe for the policies it should pursue nor slavishly following the paths laid down by preceding generations. On this account the War of 1812 is often called rightly the second war of independence.

Changed conditions after 1815.

Of the conditions which were changed after the war five deserve especial attention: (I) our altered international standing, (II) changes in political parties, (III) changed economic conditions, (IV) the new policy of the courts, and (V) the development of the West and the demand for internal improvements. All of these reflect the new national spirit of the people and most of them show that a new national policy was being adopted by the central government.

Reasons for improvement.

250. Our Altered International Standing. — (I) In 1815 war ceased in America and in Europe. After the battle of Waterloo France and England no longer found it necessary to injure one another directly or through acts that affected the trade of neutrals. Our ships were not stopped on the high seas, and our commerce was free from interference as it had not been before for a score of years. Aside from these immunities we were treated abroad with a respect that cannot be accounted for on the ground that the return of peace made it unnecessary to fear us as neutrals. Foreign nations realized that the United States must no longer be treated as a third-rate power. This improvement in our international standing was due in part to the fact that the United States had now come to recognize itself as a nation. It was due still more perhaps to the determination of the United States to protect its rights by force if necessary. It was influenced undoubtedly by the promptness with which, at the close of the war with England, our navy compelled

War with Algiers (1815).

the heads of the Barbary powers to make restitution for injuries committed during the war, and to renounce all claims to tribute which had been paid theretofore by us and which was still being paid by European states. McMaster, *United States*, IV, 351–356.

The increased respect which we commanded abroad is shown by the greater eagerness with which foreign nations sought our favor, and the more satisfactory terms which we were able to make with them in various treaties. Probably the best proof of our real independence was the willingness to announce so bold a policy as that embodied in the Monroe Doctrine (§ 262), and the influence which the announcement of that doctrine had in Europe. Evidence of a better international position.

251. Downfall of the Federalist Party. — (II) Political conditions were radically different after 1815. With the close of the war the Federalist party practically disappeared, leaving only the Republican party. As far as there were any issues separating the factions of this party, they dealt with domestic affairs exclusively. Nothing more was heard of the French party and the English party, for with the war had passed the dominance of Europe in our politics. Because of the war and their unpatriotic action during that conflict, the Federalists ceased to exert even the minor influence they had possessed before 1812. Beginning of domestic political parties.

They had opposed the war from the beginning and in several instances had acted in opposition to the administration. Several state legislatures issued protests against the continuance of the war. All but one of the New England governors objected to the use of the militia in other states for the purpose of carrying on offensive war. Merchants in the Northeast furnished the enemy with a large part of their provisions. New England capitalists, who had most of the specie in the United States, refused to aid the government in its attempts to sell bonds. On the other hand, the national government made no attempt to protect the New England states and adopted several measures particularly injurious to that section. Reasons for Federalist downfall.

The Federalist opposition to the war culminated in the

Hartford convention (1814).

Babcock, *Am. Nationality*. 160–167.

McMaster, *United States*, IV, 247–252, 275.

Hartford convention, in which three states were represented. Their enemies claimed that in these secret sessions the members were considering plans for secession from the Union, but that was not true. The real purpose of the convention was to protest against the war and unite on certain measures for the protection of the sectional interests of the New England states.[1] Several amendments to the Constitution were proposed that would, if accepted, safeguard their interests. The report of the convention was adopted by the legislatures of Massachusetts and Connecticut and was carried to Washington so that it might be laid before Congress. Unfortunately for the Federalists, it reached the national capital at the same time as news that peace had been made, and that the British had sustained an overwhelming defeat at New Orleans. The return of peace removed the cause of the Federalists' grievances and produced such a reaction against that opposition party that it was never afterward a serious factor in our political life.

Beginnings of manufacturing.

Schouler, *United States*, II, 243–246.

Taussig, *Tariff Hist.*, 17–19, 27–29, 39, 50.

252. The Tariff of 1816. — (III) Shut off from Europe by embargo and war during most of the years following 1807, the people of the United States were deprived of the use of articles that they had imported formerly except so far as crude substitutes were manufactured in this country. So great was the impetus given to manufacturing during this period that the real industrial beginnings of the United States may be said to date from the great embargo.

Difficulties of the manufacturers (1815–1816).

After Napoleon was overthrown at Waterloo (1815) and Europe was at peace for the first time in twenty years, the continental nations revived their old tariffs in order to prevent England from sending them so many manufactured articles. Deprived of this market for their goods, the Eng-

[1] The members of the convention occupied much the same ground taken by Kentucky and Virginia in their resolutions of 1798 and 1799. They claimed that in case of deliberate, dangerous, and palpable infractions of the Constitution affecting the sovereignty of a state and the liberties of the people, "it is not only the right but the duty of such a state to interpose its authority for their protection in the manner best calculated to secure that end."

lish merchants shipped immense quantities of manufactures to America. Prices fell immediately, and the American manufacturers found that they could not compete with their English rivals. Unless Congress gave them relief from this deluge of foreign goods, the factories started during the previous decade would be obliged to close, as the comparatively high tariff of 1812, passed for the purpose of giving revenue, was not really protective and was to continue only a year after peace was made.

McMaster, *United States*, IV, 319–326.

Numerous petitions were sent to Congress asking that body to raise the duties on wool and cotton manufactures. Henry Clay, distinguished throughout his career as the great champion of protection for American manufactures, gave the proposed tariff his ardent support. John C. Calhoun made a speech in its favor that was remarkable for its breadth. Daniel Webster and the New England contingent hesitated to support a policy that threatened to injure the commerce of that section. Many in the South saw only danger in protection, but a fair minority were won over by the tariff on cotton imports which would benefit indirectly the planters in the cotton belt. In its final form the tariff of 1816, the first really protective tariff in our history, provided for a twenty-five per cent *ad valorem* duty on cotton and wool manufactures, thirty per cent on some forms of iron manufactures, a specific duty of three cents a pound on sugar, and lower rates on a few other articles. In some respects it was the most national tariff ever enacted in Congress, as it received some support in every section of the country.

Tariff of 1816.

Dewey, *Financial Hist.*, § 73.

Babcock, *Am. Nationality*, 235–242.

Burgess, *Middle Period*, 8–13.

253. **The Second National Bank.** — The change in the national sentiment of the people and in the willingness to intrust a greater amount of power to the central government is more striking in the case of the national bank than in that of the tariff. The first national bank had been obliged to discontinue its operations as a national corporation in 1811 when Congress refused to renew its charter. The opposition to the bank among the Republicans was quite strong because they felt that there was considerable doubt

Need of a national bank.

as to its constitutionality, and because many believed that the influence of the bank had been exerted for corrupt ends. Nevertheless the bill to renew the charter in 1811 was lost by the casting vote of the vice president in the Senate. During the war with England, the dilatory policy of the government in raising taxes, coupled with the great increase of paper money issued by the local banks that had sprung into existence after the discontinuance of the national bank, caused great confusion in the currency and left both the government and the country in a serious financial condition.

The second United States bank.

It was believed quite generally that a national bank would be of the greatest service in aiding the national government and in remedying the currency ills of the country. As very little doubt existed now as to the constitutionality of a national bank, there was little difficulty in passing an act for a second national bank.[1] This bank was chartered for twenty years and was to have a capital of $35,000,000, of which one fifth was to be subscribed by the national government. Most of the remainder was to be in bonds or notes of the United States. It was to aid the government in conducting its fiscal operations. Unlike its predecessor, the stock for which had been owned almost entirely abroad, the bank was supported by American capitalists, the number of those owning stock being very much larger than those interested in the earlier bank. Although the bank did relieve the financial situation somewhat, it was managed badly for several years and did not prove a great success at the beginning.

MacDonald, *Documents*, No. 33.

Dewey, *Financial Hist.*, § 67.

McMaster, *United States*, IV, 309–314.

Support given to the central government.

254. The Supreme Court. — (IV) The influence of the Supreme Court in strengthening the national government at this time can hardly be overestimated. On account of the national sentiment among the people during the period following the war, the court was allowed to render and enforce several decisions which defined more clearly the work

Magruder, *Marshall*, Chapter X.

[1] Most of the opposition came from the Federalists, whose anti-national attitude at this time was followed by their complete disappearance soon after.

which Congress might do and enlarged the sphere of duties left to the government at Washington. In this task of increasing the authority of the national government, the influence of the Chief Justice, John Marshall, was preëminent, although the other justices held very liberal views. There were two ways in which the court gave its support to the national government: (1) by interpreting in a liberal way that clause of the Constitution which gives Congress the right to use all means which are necessary and proper for carrying into execution the powers specifically conferred on the national government by the Constitution, thus indorsing the right of Congress to use "implied" powers,[1] and (2) by preventing the states from interfering with the work of the central government.[2]

Babcock, *Am. Nationality*, 290–308.

Willoughby, *Supreme Court*, 38–46, 54–61.

The right of Congress to use implied powers was expressed most emphatically in the case of *McCulloch* v. *Maryland* (1819), when the court declared that Congress had the right to charter a national bank, although the Constitution does not mention such a right in the list of enumerated powers. Marshall admitted that the powers of the national government were limited, but claimed that Congress had the right to use its discretion as to the means which it might employ in performing its duties. "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional."

Use of implied powers.

Hart, *Contemporaries*, III, No. 133.

255. The Development of the West. — (V) Undoubtedly the most important of the changes which took place during this period was the westward movement by which the eastern half of the Mississippi and Gulf basins was peopled, leading directly to the admission of several new states and indirectly to a great development in the democratic and national

Causes of migration to the West.

[1] Constitution, Art. I, § 8, Cl. 18.

[2] The court also limited the powers of the states in the interests of individual rights, as in the famous *Dartmouth College* case, in which the right of a state to alter a charter was denied.

spirit of the people (§§ 290, 297). The war had served to awaken the nation. Thousands became dissatisfied with the old humdrum life of the eastern border, and turned to the West — the land of enterprises, of opportunity, of wealth. Before the war the emigration to the West had been considerable, after 1813 it became rapid, and by 1815 it was little less than marvelous. The stagnation in the coast cities due to the blockade maintained during the war and the limited market for farm products had much to do with the exodus. The richness of the soil, the liberal land policy of the government (§ 289), and the greater political rights enjoyed in the West (§ 290) were not the least of the inducements in the country beyond the mountains.

Extent of migrations.

Several of the southern coast states considered measures for preventing further emigration to Mississippi, Alabama, and Tennessee, the population of which expanded amazingly in the years following the destruction of the Indian strongholds by forces under Jackson. But the growth of the South did not equal that of the North. The roads to the West were one succession of emigrant wagons carrying families and household goods. At one point in Pennsylvania five hundred wagons were counted in a single month. Nearly fifty thousand persons moved into Indiana in the single year 1816. Villages sprang up as if by magic. Speculation in town lots and farm lands became common. Everywhere the country teemed with life and excitement. Nor did expansion stop with the Mississippi River. Into the trackless wastes beyond the Father of Waters poured the pioneers, closely followed by the farmers with their families.

Turner, *New West*, 67–83.

McMaster, *United States*, IV, 381–396.

Cumberland road.

256. Internal Improvements. — Most of the states west of the Alleghany Mountains desired to improve all possible means of communication, because they were essential to their development. They expended large sums of money for roads and canals, granted privileges and gave bonuses to private companies engaged in improving highways and waterways, and sought from the national government aid in constructing roads. When the state of Ohio was admitted

Sparks, *Expansion*, 256–264.

into the Union (1803), Congress agreed to spend the proceeds arising from the sale of certain public lands in building a national road which should connect the state with the seacoast. Naturally the states west of Ohio insisted on a continuance of this highway. The route selected was from Cumberland, through Maryland, Pennsylvania, and Virginia to Wheeling on the Ohio, and west through Columbia and Indianapolis to Vandalia, Illinois, beyond which nothing was done. Work on this "Cumberland road" progressed slowly, although Congress began at an early date to make appropriations supplementing the land funds, thus establishing firmly as a governmental policy that system of internal improvements which has done so much for the commerce of the United States both foreign and inland.

Internal Improvement Bill (1817).

After the war with England, Congress took up in earnest the question of internal improvements.[1] Under the lead of Calhoun, Congress discussed a system of roads and canals similar to the famous plan proposed by Albert Gallatin, secretary of the treasury, in 1808. There were to be canals connecting all of the important bays along the Atlantic coast in order to permit communication by inland waters from one part of the coast with another in time of war, a national road from Maine to Georgia, several roads to the West, and military roads on the frontiers. The money paid by the national bank for its charter was voted by Congress for the partial improvement of these roads and canals, the rest to be appropriated by the states, but the bill was vetoed by President Madison (1817), who favored the scheme but could not overcome his constitutional scruples. The national government afterward built several military roads, which were located, however, in such a way as to be of comparatively little value to commerce and interstate migration.

Hart, *Contemporaries*, III, No. 131.

Burgess, *Middle Period*, 14–18.

McMaster, *United States*, IV, 411–415.

New national type in the West.

257. Importance of the Westward Movement. — The part which the West took in the development of the nation in the years following the second war with England can be

[1] Appropriations had been made before that time for post roads and for harbors and lighthouses as an aid to commerce.

appreciated in part from the preceding sections. But the growth of the West did much more than awaken the people and present new problems for the nation to solve. It changed, gradually of course, the point of view of the whole population, for in the West much sooner than in the East the people came to look upon things from a national, not from a local standpoint. The emigrants from the Atlantic states who settled in the Mississippi valley had no local traditions in their new settlements and forgot their pride in their former state. More than one western state was settled by people from a dozen other states who lost quickly most of the characteristics that continued for two generations in the old home. In the cosmopolitan West a new race was developed that was a blending of the colonial types which still existed on the Atlantic border. Here was the beginning of the really new nation, the American people.

Results attained in the West.

Four things of the first importance the West was doing at this time which the whole people adopted later. (1) The American type was developed — a race that blended many of the characteristics of the eastern people from whom it sprang, uniting with them a vigor, an enterprise, a broad-mindedness that was its own. (2) The West viewed things from a national rather than a local or sectional standpoint. (3) In the West, legal and political equality was developed much earlier than in the older parts of the country. (4) The West presented many political and social problems for the entire nation to solve, and itself decided the solution of many of those problems, because the West was progressive and united.

Turner, F. J., in *Atlantic*, XCI (1903), 83-96.

Slavery and Foreign Affairs (1819–1824)

New States (1815–1819).

258. The Missouri Bill (1818–1819). — The growth of the West in the period following 1815 was so remarkable that territories were prepared for statehood with amazing rapidity. Although the growth was greater in the Northwest than in the Southwest, care was taken to preserve the balance between the free states and the slave states. Indiana (1816) was followed by Mississippi (1817), and after Illinois was

admitted (1818) the application of Alabama was considered favorably. All of these states were located east of the Mississippi River and were in territory set aside as free or slave years before.

First Missouri bill.

The situation was radically different in Missouri, which applied for admission as a slave state in 1818. Missouri was in territory that had been acquired after the Constitution had been adopted, and Congress was free to adopt such a policy as it wished in this region. There was a growing sentiment in parts of the United States against slavery extension, and, although slavery had existed in Missouri from the time of French rule, there was considerable opposition to the continuance of slavery in that region, especially as Missouri was almost entirely north of the line of the Ohio River, which in the middle West marked the boundary between the slave and free states. On this account, when the House of Representatives began consideration of the bill to admit Missouri as a slave state, James Tallmadge of New York offered an amendment that all children born in the state after its admission be free at the age of twenty-five years. After an extended debate the House adopted the Tallmadge amendment by a majority of four votes, but the Senate refused to agree and passed the bill admitting Missouri as a slave state without the Tallmadge amendment. Nothing further could be done that session, for neither chamber would recede from its position.

MacDonald, *Documents*, No. 35.

Burgess, *Middle Period*, 66–74.

Different views of Senate and House.

259. **The Missouri Problem.** — The reason for this deadlock between the houses of Congress is interesting. As the states are represented equally in the Senate, and the slave states were as numerous as the free states, the pro-slavery leaders controlled the Senate because the senators from the slave states were united in favor of admitting Missouri with slavery, whereas the northern members were divided in sentiment. In the House, however, since representation was based on population, and five negroes were counted as equal to three whites for purposes of representation, the northern members outnumbered those from the South by

twenty-five. Although the southern representatives were united closely by their slavery interest, they could not gain the support of enough members from the North to give them a majority in the lower house.

Views of the people.

Before the new Congress met in December, 1819, the sentiment of the country had been expressed fully and clearly on the Missouri question. Meetings had been held in most of the large northern cities and resolutions had been adopted in public gatherings, in town meetings, and in state legislatures, which requested Congress to forbid the further extension of slavery beyond the Mississippi. From the South came numerous petitions asking that Missouri be admitted with slavery.

McMaster, *United States*, IV, 576-580.

The Maine-Missouri bill.

Before the Missouri bill came up in earnest, however, the House passed a bill admitting Maine as a free state. When the Maine bill reached the Senate, the Missouri bill with slavery was attached to it. Several weeks were spent by both houses in discussing the Missouri question. The arguments presented at this session were similar to those used during the preceding year. Most of those who wished to have Missouri admitted with slavery did not attempt to deny that slavery was an evil, but argued that its diffusion over a greater area would lead to its extinction sooner than restriction within a limited territory. They claimed that Congress had no right to impose important conditions like that which prohibited slavery within a state on its admission to the Union. Their opponents maintained zealously that slavery was a curse which should not be allowed to expand; that it was more wasteful and dearer than free labor.[1]

Hart, *Contemporaries*, III, Nos. 135, 136.

Burgess, *Middle Period*, 67-87.

Discussion of compromise.

260. The Missouri Compromises (1820-1821). The debate in the Senate on the Maine-Missouri bill was con-

[1] They pointed to the conditions in Louisiana at the time of its admission and to the conditions prohibiting slavery that had been exacted from the states formed out of the "Northwest territory" to show that Congress had the power to regulate important matters for states on their admission to the Union. The proslavery debaters claimed that Congress could not have forced these states to accept that condition, but that they had done so freely.

cluded by the adoption of an amendment to that dual measure, proposed by Senator Thomas of Illinois, which prohibited slavery forever within the territory acquired from France north of 36° 30′ except in the state of Missouri. But the House refused to concur. It passed a Missouri bill of its own with a clause prohibiting slavery, but after a conference the House yielded, and the first Missouri compromise was completed.

Schouler, *United States*, III, 161–165.

MacDonald, *Documents*, Nos. 37, 38.

Missouri was admitted without mention of slavery, but slavery was thereafter prohibited north of 36° 30′ in the rest of the Louisiana purchase. Maine was admitted separately as a free state. A year later it was found that the new Missouri constitution did not allow free blacks or mulattoes to settle in the state. A sectional clash on this provision was settled by a second compromise, engineered by Clay, which provided that the Missouri constitution should never be construed so as to prevent citizens of other states from migrating to Missouri.

Provisions of the compromises.

MacDonald, *Documents*, Nos. 39–41.

Burgess, *Middle Period*, 87–103.

In this way did the statesmen of that period settle the first important slavery controversy under the Constitution. From a legal point of view the result was wise and satisfactory. The right of a state on its admission to the Union to decide questions that were left to the states which were in the Union was affirmed, as well as the right of Congress to control absolutely the national territory before it was erected into states. As slavery had existed in the Louisiana territory from the beginning and had never been prohibited in any

Significance of the compromises.

Burgess, *Middle Period*, 103–107.

part by Congress, the prohibition of slavery from the vast region between parallels 36° 30′ and 49° and between the Mississippi and the ridges of the Rockies was a distinct advance, as so little territory was left open to slavery. As a means for allaying sectional feeling and preventing strife over the question of slavery, it was a decided success, for in the forty years that elapsed before the North and South finally resorted to arms to settle this problem, the anti-slavery section had developed much more rapidly than the region dependent on slavery.

Florida and the United States (1803–1818).

Burgess, *Middle Period*, 19–33.

Babcock, *Am. Nationality*, 26–29, 128–130, 271–283.

261. Florida. — After the acquisition of Louisiana in 1803, Spain retained the Floridas in the southeast and Mexico in the southwest. Between our territory and these Spanish possessions, no definite boundary lines had been established. We claimed the western part of the Floridas as part of Louisiana (§ 233), but failed to gain this region until 1811, when disorder in that section led President Madison to extend the authority of the United States over the territory as far east as the Perdido River. During the war with England the rest of the Floridas was used as a base of operations by the British, and became the home of slaves and criminals who escaped from the states. Spain was unable to control the territory or to prevent runaways from making it a place of refuge. When these difficulties were aggravated by Indian disturbances which threatened our borders, General Jackson invaded Florida, captured Pensacola and other towns, and hanged the British subjects, Ambrister and Arbuthnot, who had stirred up the Indians.[1]

[1] Crawford, Clay, and Calhoun criticised Jackson's action and an attempt was made to have him censured by Congress. This failed miserably. Only one member of the cabinet, Adams, defended Jackson; but Jackson, supposing that Calhoun was his defender, was bitter toward Adams, especially after 1825 (§ 264). When ten years later he learned that Calhoun had worked against him at this time, his friendship for Calhoun was changed into the harshest enmity. These enmities which grew out of the attempt of jealous politicians to discredit a general who was becoming very popular had a great influence on the history of the next twenty years.

Florida treaty (1819–1821).

Spain and Great Britain protested, but Spain, finding that she could not control the territory properly and that it would be seized by the United States if she did not cede it peaceably, agreed to transfer it to the United States in return for $5,000,000. The treaty also defined the southwestern boundary between the United States and Mexico,[1] yielding the whole of Texas which the United States desired but could not claim justly.[2] This treaty of 1819 was not ratified by the Spanish and two years elapsed before a similar treaty was concluded with slight modifications in favor of the United States. In this way the United States rounded out her territory so as to attain a natural boundary on the southeast. Had Spain refused to sell us Florida, we should have been forced to seize the peninsula to protect our interests. The limitation of the western boundary was a grievance to the expansionists, for Americans were already making their way to Texas.

MacDonald, *Documents*, No. 34.

Foster, *Am. Diplomacy*, 256–265.

Morse, *J. Q. Adams*, 114–119, 124–128.

262. The Monroe Doctrine (1823). — Soon after the settlement of the Florida difficulty the United States was confronted by a very much more serious problem growing out of the inability of Spain to control her American colonies and the attempt on the part of an alliance of four European powers — Russia, Austria, Prussia, and France — to reconquer for Spain her colonies that had revolted.[3] This alliance had been formed originally in 1815 by the emperors of Russia and Austria and the king of Prussia, under the name of the Holy Alliance, for the real purpose of upholding the rights of monarchy against the democratic movements which had broken out in different parts of Europe, especially during

The Holy Alliance and Spanish affairs.

Andrews, *Devt. of Mod. Europe*, I, 115–125.

McMaster, *United States*, V, 28–46.

[1] For this line of 1819, see map page 255.

[2] Many authorities believe that Texas was part of the Louisiana purchase, and there is no doubt that Napoleon would have insisted on the Rio Grande as the southwest limit of the territory.

[3] Most of Spain's possessions in this hemisphere had established separate governments during the years following 1808 when Napoleon attempted to rule Spain. They had returned to their allegiance after the Spanish monarchy was reëstablished, but even before the revolutionists gained the upper hand in Spain again in 1820 the colonies declared their independence.

the disorders of the Napoleonic wars. All attempts to gain a greater degree of self-government within their dominions were suppressed by force. In 1820 the people of Spain and some other countries revolted against the arbitrary rule of their monarchs, revolutionary governments being established. The Alliance directed France to suppress the Spanish revolution. The Holy Alliance then announced that the Spanish-American states were to be conquered for Spain.

JAMES MONROE

As England desired the trade of these new republics, her prime minister, Canning, immediately suggested that the United States should join her in a protest against this reactionary step. President Monroe sought the advice of Jefferson, Madison, and his cabinet. All agreed that the threatened attack of the Alliance must be averted, but through the influence of Secretary of State Adams, Great Britain and the United States decided to make separate protests against the re-establishment of Spanish rule over the states that had declared their independence.

Monroe message (1823).

In his regular message to Congress in December, 1823, Monroe announced the famous doctrine since known by his name.[1] He declared that we had never interfered in

[1] He declared that "we owe it, therefore, to candor and to the amicable relations existing between the United States and those powers [the Holy Alliance], to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the pur-

distinctively European affairs and had no intention of doing so. We could not permit the Alliance to reduce these states again to the position of colonies. In another part of his message Monroe considered a similar question: the aggressions of Russia on the northwestern coast. "The occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers." In this way and at this time was announced formally a policy which the United States had maintained almost from the beginning and which she had developed with our needs into the great American doctrine.

MacDonald, *Documents*, No. 43.

Gilman, *Monroe*, 156–174.

263. Summary. — The protest against the commercial discriminations of France and England was one of the chief causes which aroused the national spirit of the American people. Comparatively unimportant as the military events of the war must be considered, the war really compelled the people to depend on themselves for many things that had been furnished formerly by Europe; it made them unwilling longer to follow the lead of the European nations in matters of internal political policies, and it united the people as they were not united even at the beginning of the conflict.

Causes of the new national spirit.

The new national spirit which grew out of this second war for independence was especially noticeable in the consideration of distinctively American political questions, in the adoption of a national protective tariff, and a new United States Bank that was at once national and democratic, in increased centralization through the greater powers exercised by Congress and indorsed by the Supreme Court. National unity in its turn gave us a better international position, so that we may be said to have risen from a third-

Results of the new national spirit.

pose of oppressing them or controlling, in any other manner, their destiny, by a European power, in any other light than as the manifestation of an unfriendly disposition toward the United States."

class power to one of the second rate. In connection with the adoption of the policy now known as the Monroe Doctrine we gave proof that we were no longer subservient to any of the great nations of Europe.

The West and its problems. Democracy.

The events of the period from 1811 to 1818, the latter part of which was a time of very great prosperity, were favorable not alone to the development of a national spirit and the extension of national authority but to an expansion which made the West and western questions of the greatest prominence. In this large and rapidly growing region, with nine states to fifteen on the Atlantic border, there were developed more democratic institutions than those of the East. As the tendency of the century was toward political equality, the West simply accelerated the movement toward democracy, so that before 1850 practically the entire nation had abandoned class rule and many social inequalities. The growth of the West compelled the nation to solve many problems, among them that of slavery extension. In connection with the admission of Missouri, the first great contest occurred between the forces which favored the extension of slavery and those that opposed its adoption in new states and territories. The compromise was chiefly important in postponing the inevitable conflict between the forces of free labor and of slave labor.

TOPICS

1. THE CAREER OF THE CONSTITUTION: Roosevelt, "Naval War of 1812;" Maclay, "History of the United States Navy," I; Mahan, "War of 1812."

2. TREATY OF GHENT (1814): Stevens, "Albert Gallatin," pp. 312–337; Morse, "John Quincy Adams," pp. 75–98; Schurz, "Clay," I, pp. 100–125; Adams, "United States," VII, Chapter XIV; VIII, Chapters I–II.

3. TARIFF OF 1816: McMaster, "People of the United States," IV, pp. 319–345; Taussig, "Tariff History of the United States," pp. 16–67; Stanwood, "Tariff Controversies of the Nineteenth Century," I, pp. 128–159.

4. THE MISSOURI COMPROMISES: Johnston, "American Political History," II, pp. 110–120; Von Holst, "Constitutional History of

United States," I, pp. 356–381; Burgess, "Middle Period," pp. 61–107; Schouler, "United States," III, pp. 99–103, 147–186.

STUDIES

1. Perry's victory on Lake Erie. (Mahan, "War of 1812," Chapter XI.)

2. Financial problems of the war. (Dewey, "Financial History of United States," pp. 128–142.)

3. Disorders of the currency which influenced the crisis of 1819. (McMaster, "People of the United States," IV, pp. 280–318.)

4. Building the Cumberland Road in the West. (Hulbert, "Cumberland Road," pp. 71–90.)

5. Character of the West (1815–1830). (Turner, "Rise of the New West," pp. 84–110.)

6. The Far West. (Turner, "Rise of the New West," pp. 111–133.)

7. Diverse interests in the South (1820). (Turner, "Rise of New West," pp. 45–66.)

8. William Pinckney on the Missouri controversy. (Johnston (ed.), "American Eloquence," II, pp. 63–101.)

9. Relations of Spain and the United States around the Gulf of Mexico (1783–1821).

10. Authorship of the Monroe Doctrine. (Ford, W. C., in *American Historical Review*, 7 (1901), pp. 676–696, 8, pp. 28–52.)

QUESTIONS

1. Summarize the grievances of New England. To what extent were they real grievances? What just complaint did the administration have against New England? What were the results of New England's course during the war on the war itself? on the Federalist party? on the influence of New England later in the councils of the nation?

2. Why did we declare war against Great Britain? How many of our grievances were removed during the war? by the treaty of peace? How many of the grievances existed after the war? what new international complications?

3. Compare fully the changes which followed the Revolutionary War and that of 1812. To what extent were the movements begun during the period of the Revolution completed at this time?

4. What justification do you find in the Constitution for a protective tariff, a national bank, internal improvements? Did the Republican party favor a looser construction of the Constitution in 1816 than in 1792, in 1803, in 1808?

5. Was slavery principally a political or an economic issue? Compare the advantages won by each side in the Missouri compromise. What were the constitutional results of the compromises? the political results?

6. Just how did the decisions of the Supreme Court strengthen nationality? Was the court sufficiently conservative? Would its permanent influence have been greater by following a different policy? If so, what policy?

7. What was the purpose of the Holy Alliance? What had been done by the Alliance in Europe? What was the attitude of England toward the Alliance before 1822? after 1822? What was the relation of the Alliance and Russia in Alaska to the Monroe Doctrine?

CHAPTER XIII

NATIONAL DEMOCRACY (1824–1843)

PRESIDENTS

John Quincy Adams (1825–1829)
Andrew Jackson (1829–1837)
Martin Van Buren (1837–1841)
William Henry Harrison (1841–1841)
John Tyler (1841–1845)

THE TRIUMPH OF DEMOCRACY (1824–1829)

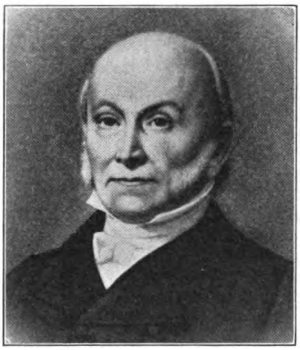
Candidates.

264. The Presidential Election of 1824 marks the beginning of the transition from the old order to the new. According to the custom that had been followed at preceding elections the secretary of state was considered the "heir-apparent," but considerable opposition was developed in 1823 to John Quincy Adams, who had directed foreign affairs for Monroe. Previously nominations had been made by a caucus of congressmen. As there was but one party now, the desire for a caucus was slight, since all of the candidates would be Republicans. However, a caucus was held, about one fourth of the congressmen attending, and

Burgess, *Middle Period*, 131–136.

Peck, *Jacksonian Epoch.*

William H. Crawford of Georgia, then secretary of the treasury, was nominated. The other candidates were Henry Clay, the most popular speaker the House ever had, and Andrew Jackson, the "hero of New Orleans," who had emerged from the Florida imbroglio with added reputation. Although he had been senator from Tennessee twice and had held other public offices, he was considered by the people as entirely different from the officeholding candidates whom he opposed.



JOHN QUINCY ADAMS

Elections (1824 and 1825).

The election was not decided in November as is usually the case, for no one had a majority of the electoral votes. Jackson received 99, mainly from the South and West, Adams 84, principally from the Northeast, Crawford stood third with 41, and Clay fourth with 37. As the Constitution requires the House of Representatives to select the president from the three candidates having the largest number of votes, whenever the electoral college fails to give any one a majority, Clay held the balance of power. His influence was thrown to Adams, who was, like Clay, a believer in the liberal construction of the Constitution, a protective tariff, and internal improvements. But when Clay was selected as Adams's secretary of state, followers of Jackson cried out that a "corrupt bargain" had been made between Clay and Adams. Jackson never forgave Adams for "cheating" him out of the presidency, and his dislike for Clay was intensified by the latter's preference for his rival.

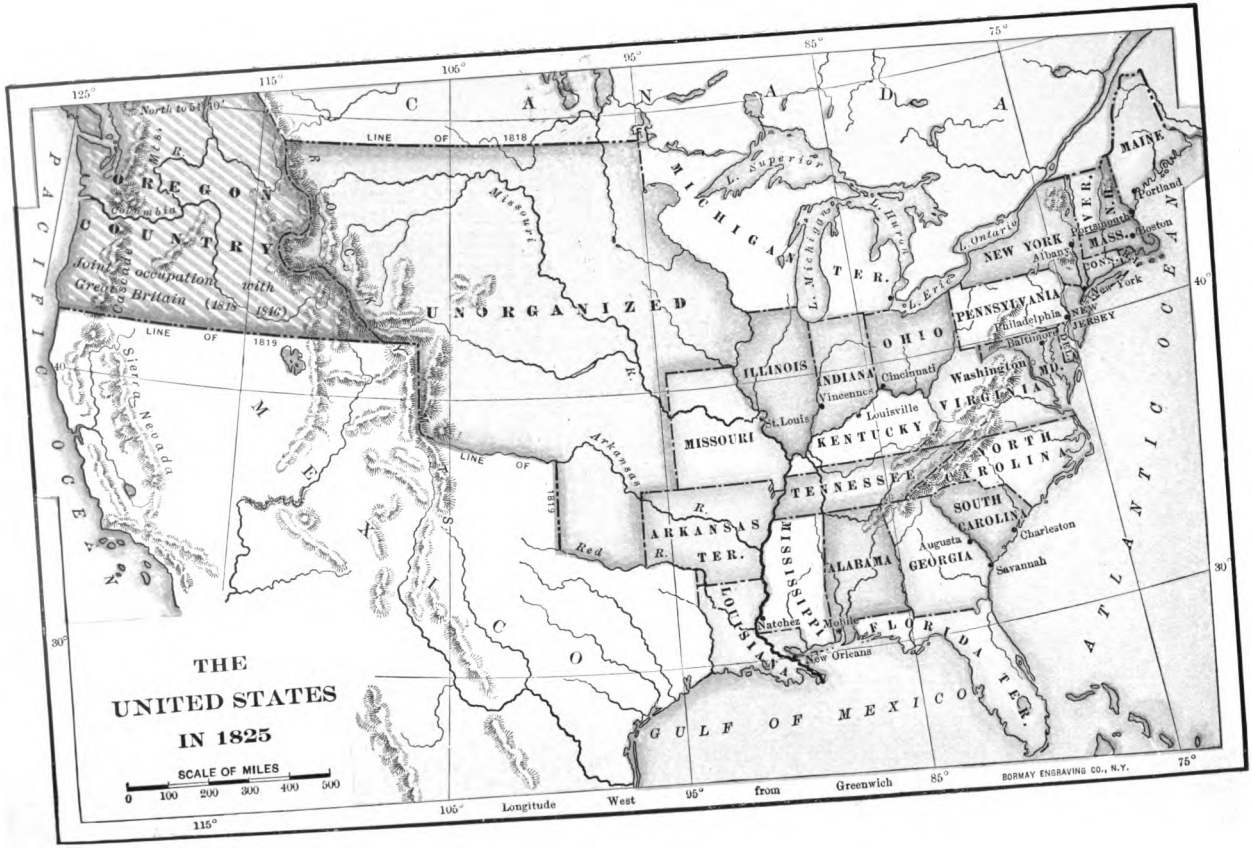
Burgess, *Middle Period*, 136–144.

McMaster, *United States*, V, 72–81.

Stanwood, *Presidency*, Chapter XI.

Character of J. Q. Adams.

Austere, painstaking, and impartial, Adams made few friends and won over no enemies, by settling all questions and making all appointments on their merits. His personal enemies fought him at every turn in Washington, and the people turned from him and his policy to more popular men


THE
UNITED STATES
IN 1825
SCALE OF MILES
0 100 200 300 400 500
CANADA
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO
OREGON COUNTRY
Joint occupation with Great Britain (1818 - 1846)
North to 51°40'
Columbia
Mts.
Sierra Nevada
LINE OF 1818
LINE OF 1819
LINE OF 1819
UNORGANIZED
ROCKY MTS.
Missouri R.
Arkansas R.
Red R.
L. Superior
L. Michigan
L. Huron
L. Erie
L. Ontario
MICHIGAN TER.
ILLINOIS
MISSOURI
St. Louis
INDIANA
Vincennes
Cincinnati
OHIO
KENTUCKY
Louisville
TENNESSEE
ARKANSAS TER.
LOUISIANA
Natchez
New Orleans
MISSISSIPPI
ALABAMA
Mobile
FLORIDA TER.
GEORGIA
Augusta
Savannah
SOUTH CAROLINA
Charleston
NORTH CAROLINA
VIRGINIA
Washington
MD.
DEL.
PENNSYLVANIA
Philadelphia
Baltimore
NEW JERSEY
New York
NEW YORK
Albany
CONN.
MASS.
Boston
VER.
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BORMAY ENGRAVING CO., N.Y.

and measures. The last president of the old régime, Adams failed because the country had outgrown the aristocratic system which he represented and had become democratic.

National Republicans.

265. New Political Parties. — The presidential election of 1824–1825 and the subsequent formation of factions, composed on the one hand of supporters of the administration — the Adams and Clay men — and on the other hand of the Jackson men, marks the beginning of a permanent break in the old Republican party. Although in large part these factions represented personal views and antagonisms, they held essentially different views on questions of public policy. Both Adams and Clay were ardent protectionists and believed in a broad construction of the Constitution which would extend the powers of the national government. They adopted therefore the name of "National Republicans," although in the course of a few years the name "Whig" was used more commonly.

Johnston, *Am. Pol. Hist.*, II, 233–255.

Schurz, *Clay*, I, 311–320.

Jacksonian Democrats.

Their opponents, who gradually rallied around Jackson as the coming man, were as a rule strict constructionists. Although not at the beginning supporters of popular government, in time they came to adopt the views of their intense domineering leader on that question. Jackson ardently advocated the right of the people to rule untrammelled by traditions which had been established by conservative aristocrats. The party of Jackson, known as "Democrats," occupied a rather unusual position. While they believed in a strict construction of the Constitution, they asserted with Jackson that the will of the people should decide how the powers of the general government should be used. Unlike their predecessors, the Jeffersonian Republicans, who opposed centralization and favored the rights of the individual and the expansion of state powers, the Jacksonian Democrats believed in the supremacy of the nation. This peculiar combination of contradictory opinions was due to the personal preferences of "Old Hickory," a man of great simplicity of mind, who cared neither for political theories nor political consistency. Because the nation was young,

Johnston, *Am. Pol. Hist.*, II, 178–198.

MacDonald, *Jacksonian Democracy*, 306–315.

hopeful, confident of itself, and charmed by the personal magnetism of Jackson, the Democratic party gained control of the affairs of the nation and retained that control almost without interruption for three decades.

Interest in Jackson's candidacy.

MacDonald, *Jacksonian Democracy*, 28–37.

Peck, *Jacksonian Epoch.*

266. The Election of Jackson (1828).—The Democratic party came into power with the first election of Jackson (1828). Since the House of Representatives had been called upon to choose a president and had passed by the "hero of New Orleans" for Adams (1825), the Jackson men had not ceased to cry out against the injustice done to their leader. The will of the people has been defeated, they claimed. Continued agitation of Jackson's candidacy, the resolutions passed by numerous legislatures in his behalf, and the gradual abandonment of the old undemocratic method of choosing electors through the legislatures tended to arouse among the people for the first time a real interest in a presidential election. Heretofore the officeholders had decided what candidates should head each ticket and officeholders had elected the president. But the times were changing. In response to a strong popular demand, the suffrage laws had been made more liberal, so that nearly twice as many people could vote in 1828 as in 1824.

Campaign and election.

Stanwood, *Presidency*, Chapter XII.

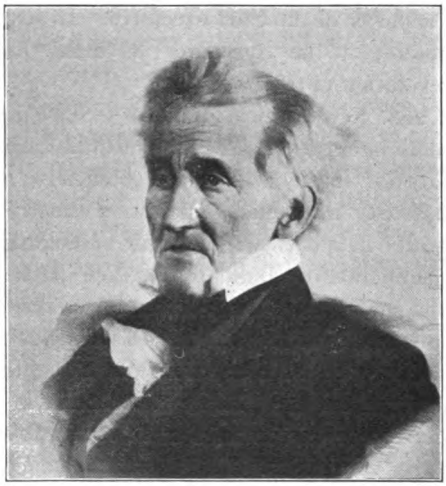
Aside from the deeper reasons for Jackson's success, the conduct of the campaign is interesting. The tariff was an important issue, on which Jackson skillfully avoided committing himself. Aided by Martin Van Buren, the ablest politician of that period, and by most of the southern leaders, Jackson captured the vote of every western and southern state, besides that of Pennsylvania and scattering votes throughout the North. In the electoral college the vote stood 178 to 83 for Adams.

Imperfect development of a national spirit before 1829.

267. The Importance of Jackson's Election.—In the history of the United States at this time, and in fact throughout the first half of the nineteenth century, there were two movements of very great importance. The first of these was the development of a national spirit and a real national unity among the American people; the second, the spread of

democracy, the belief in the right of the people to rule. As we noticed in the last chapter (§§ 249–257), the national spirit developed rapidly between 1810 and 1820, but it had not produced a great change in the central government. To be sure factional strife ceased to some extent and the national government was treated with greater respect than before. But as the enthusiasm created by the war died out, the people remembered again their local jealousies and the central government was in danger of losing most of the powers that it had gained.

Turner, *New West*, 300–309.



ANDREW JACKSON

In the two decades preceding the election of Jackson, democracy had been gaining a real foothold in the states. Not only was a much larger number of people allowed to vote than before, but the voters enjoyed an infinitely greater share in public affairs (§§ 290, 291). This has been shown to some extent in preceding paragraphs. But this almost universal change in the policies of the states and the localities had produced before 1828 no change in the conduct of affairs at the national capital. There the rule of the old-time politician was supreme. Offices were acquired and held according to the length of time the candidate had been in the public service. The nation was ruled really by a clique of men who kept themselves continually in office.

Democracy in the states and in the nation before 1829.

McMaster, *United States*, V, 380–394.

Schouler, *Const'l Studies*, 231–245.

Jackson made the central government of the United

National and democratic changes after 1829.

Mace, *Manual of Am. Hist.*, 192–201.

Ford, *Am. Politics*, Chapter XIX.

States both national and democratic. Under him it responded to the demand of the people that they should be allowed to govern and to the wish of the people that the United States should be recognized as a real nation. Jackson considered himself the representative of the nation, and, by the fearless use of his position as president, he increased greatly the power of the chief executive. In some ways his election deserves to be considered, as many have called it, "the revolution of 1829."

Nominations by conventions.

Stanwood, *Presidency*, 166–177.

268. New Political Methods.—Since the people were much more interested in government than formerly, they were not satisfied simply with electing officials; they demanded the initiative in political affairs. Formerly the politicians in power had been in the habit of holding a caucus for the nomination of candidates for their party. This kept them and their friends in power and preserved a class rule which was distasteful to the masses. Parties out of power, who had no officials, adopted first a method that afterward came into general use. From each district in a state representatives were chosen to a state *convention*, which nominated party candidates. The first national convention was held by the Anti-Masonic leaders who wished to perfect their organization throughout the United States. This example was followed quickly by the older parties, who, in many cases, adopted resolutions stating their policy. From this custom there was developed in time the platform, now an indispensable part of the work of every national and many state conventions.

The campaign and the party "machine."

Ford, *Amer. Politics*, 144–149.

As each party was bidding for popular support, every effort was made to obtain votes. Two of the most important methods introduced were the campaign and machine organization. In the first, voters were to be attracted by the popular love of display and by "stump speaking." The later presidential elections of 1840 and 1844 were the best examples of this. Even more reliance was placed on more perfect party organization. The "machine" was not a new thing, for Tammany Hall had used methods like those

of the present many times since it was formed in 1789, but now the party "boss" became a recognized power in political circles, while federal and state patronage were used to control votes. Bribery was used more frequently, and the wretched system of the open ballot boxes made intimidation of voters and "stuffing" of the boxes not only possible, but quite common. The political products of democracy were as yet of the crudest kind, and it required years to sift out the good and to reject the less perfect.

Jackson's attitude regarding appointments.

269. The Spoils System. — Jackson introduced into the national government a system which was at that time used extensively in the states and known best as the "spoils system." This consisted of filling the offices with party friends on the principle that "to the victors belong the spoils." Jackson firmly believed that he could not do his duty as president if his subordinates were political enemies, who would not work with him. Himself a fierce hater, he expected nothing but opposition from those who had not favored his election and took the first opportunity to remove his enemies from office. Thousands of his party followers, knowing his loyalty to his friends and already acquainted with the spoils system at home, thronged to Washington. This horde of office-seekers and their friends pressed into the White House at the time of the inauguration, climbing on the chairs and behaving in such a way that the older politicians bewailed the advent of "mob rule." Giving Jackson no rest, they importuned him day after day for positions. They were the first of a throng of office-seekers who have infested the capital at every inauguration from that day to this.

Wilson, *Div. and Reunion*, §§ 14–19.

MacDonald, *Jacksonian Democracy*, 54–63.

Removals and kitchen cabinet.

Many of them were disappointed, but in less than a year Jackson had removed from office fifteen hundred persons, about ten times as many as had been removed in the preceding forty years. No reasons were given for removals and no attempt was made to appoint men except as a reward for party services. The President not only abandoned precedent by adopting the spoils system, but he also followed a new plan of seeking advice from a set of men who were not his cabinet

MacDonald, *Jacksonian Democracy*, 47–54, 60, 63–66.

officers. These advisers were known as his "kitchen cabinet." Before long Jackson abandoned this method of securing help in administering the duties of his office. It is scarcely necessary to state that his successors made very little use of such an unofficial cabinet, although they were careful to follow his policy of making appointments to office for partisan reasons only.

National Sovereignty *versus* State Sovereignty (1826–1833)

Georgia and the Indians.

MacDonald, *Jacksonian Democracy*, 169–173.

270. Controversies over Indian Lands. — During the administration of Adams and the first term of Jackson the national government was brought into conflict with the state of Georgia. The difficulty arose over the Indian lands, which settlers wished to occupy, and over which the government of Georgia desired to extend its jurisdiction. These lands in 1825 covered about fifteen thousand square miles.[1] By law the Indians were under the control of the United States, which had promised Georgia long before that their lands should be acquired. The promise had been kept in part only, because it was customary to treat the tribes as separate nations.

Controversy with the national government.

Burgess, *Middle Period*, 210–220.

American Nation, XIV, 309–313, XV, 173–180.

In 1826 Georgia attempted to occupy forcibly some Creek lands which the United States was then seeking to acquire. The United States troops were ordered by President Adams to maintain the rights of the Indians, and an armed conflict was avoided narrowly (1826). A few years later Georgia passed a law extending her jurisdiction over the Cherokee lands. The Cherokees appealed to the United States courts, which upheld the Indians by declaring the Georgia law null and void. When the state proceeded to enforce the law, President Jackson, whose sympathies were naturally not with the Indians, refused to interfere, declaring, it is said, "John Marshall has pronounced his judgment, let him enforce it if he

[1] In the southern states east of the Mississippi, excluding Florida territory, in 1825 the Indians controlled an area larger than the state of New York.

can." So the state continued to disobey the decree of the court.

Most of the Indians east of the Mississippi were persuaded to exchange their lands for territory west of the river, chiefly in the district set aside as Indian territory. In Florida a few Seminole chiefs resisted the removal and in Iowa Black Hawk sought by war to regain lands that had been ceded already.

Removal of the Indians.

MacDonald, *Jacksonian Democracy*, 180–182.

271. **The Webster-Hayne Debate (1830).**—In connection with the proposed opening to settlement of public lands in the West and South, the year following Jackson's election, there occurred the interesting debate between Webster and Hayne of South Carolina, regarding the nature of the Union. Webster advocated the view that the Constitution of the United States had been adopted by the people of the United States in the aggregate. A real union had been established by that Constitution, (1) because the Constitution and laws made in accordance with it were declared to be the supreme law of the land,[1] and (2) because the Constitution itself provides that the national courts shall decide whether a certain power was given to the national government or withheld from it.[2] He maintained that to acknowledge the right of nullification by any state would reduce the Union again to a "rope of sand," as under the old Confederation.

Argument of Webster.

MacDonald, *Documents*, Nos. 47, 49.

In reply Hayne argued that the states had been sovereign before the Constitution was adopted, and claimed that they had acted in their sovereign capacity when agreeing to that "compact." He denied that the clause relating to the supremacy of the Constitution and of national laws transferred sovereignty from the states to the nation. According to Hayne, when a question arose regarding the power conferred on the central government by the Constitution, "resort must be had to their common superior (that power which may give any character to the Constitution they may think proper) viz.: three fourths of the states."

Argument of Hayne.

MacDonald, *Documents*, No. 48.

Both speakers used the words "sovereign" and "sover-

[1] Constitution, Art. IV.

[2] Constitution, Art. III, § 2, cl. 1.

The theories from an historical and a practical standpoint.

eignty" in a careless way, but even when allowance has been made for this laxity in expression, their views of the Union were seen to be diametrically opposed. According to the one, the people of the nation were sovereign; in the opinion of the other the states were sovereign. Hayne's view was undoubtedly the one held by the great majority at the time the Constitution was adopted, but in the intervening forty years so strong a national sentiment had been developed that in 1830 the majority accepted Webster's position. Hayne stood for a past that was being outgrown rapidly; Webster for the present and the future of a growing nation.

Lodge, *Webster*, 174–180.

MacDonald, *Jacksonian Democracy*, 92–111.

Desire for tariff changes (1816–1824).

272. Changes in the Tariff (1824–1832). — Opposition to a protective tariff was responsible in a large part for the position taken by Hayne and other southern leaders. On account of the numerous and rapid changes in the industrial conditions within the United States after the close of the war with England, several changes were made in the tariff schedules after 1816. New industries that were protected inadequately desired help which they found the general government was willing and able to give to favored interests, especially during the hard times which began in 1819. However, the tariff of 1816 stood until 1824 with but slight modifications. In that year the rates were increased on most articles protected formerly, protection was granted to a few manufacturers not aided in the earlier tariff and duties were placed on some raw materials, especially hemp and wool. By this time the South had become fully convinced that a protective tariff was interfering with her agricultural interests and her general development. Joining with Maine, New Hampshire, and Massachusetts, the South strove, though without success, to defeat the tariff of 1824.

Dewey, *Financial Hist.*, § 78.

The tariff of 1828.

Adams's administration was marked by continued agitation: in the North, for additional duties; in the South, for an abandonment of the protective principle. In 1827 a convention of protectionists called by the wool growers brought pressure to bear on Congress for a higher tariff.

Dewey, *Financial Hist.*, § 79.

As a presidential election was approaching in which Adams, Clay, and Jackson were likely to be candidates, the coterie that had for years opposed the administration and its protectionist policy, now sought to discredit it by proposing a tariff which the followers of Clay and Adams could not accept. With this in view they framed a tariff bill which carried high rates on manufactured articles, but more than nullified the protective duties that were desired in the states in which Adams and Clay had the largest following, by placing very high duties on the raw materials to be used by the manufacturers in those states. This political deal failed miserably because the manufacturers accepted the tariff, hoping to obtain later the changes they desired.

McMaster, *United States*, V, 243–256.

This high tariff, with its many irregular duties, was not distinctively a protective measure and was known commonly as the "tariff of abominations." In spite of its serious defects it was retained until 1832. The tariff of that year removed most of the objectionable high rates, replacing them by uniformly protective rates. Because of the lower duties, many of the southerners voted for the measure, but in the lower South the opposition was very active because Congress practically had accepted protection as a policy of government.

Tariff of 1832.

Dewey, *Financial Hist.*, § 81.

273. The South and the Tariff. — The first organized opposition of the South to the protective system was noticed in connection with the "tariff of abominations" in 1828. After the passage of that act several state legislatures adopted resolutions denouncing the tariff. South Carolina, the first to take this action, indorsed papers prepared by John C. Calhoun and best known as the "South Carolina Exposition." Calhoun maintained that the general government had no constitutional right to pass a protective tariff. He argued that the tariff was oppressive to the South and tended to create sectionalism.

Opposition to the "tariff of abominations."

MacDonald, *Documents*, Nos. 44, 45.

McMaster, *United States*, V, 256–267.

In the opinion of the southern political leaders, the policy of protection was undermining the industries of the South and building up those of the North at the expense of the

The South and the question of protection.

Turner, *New West*, 61–63, 239–242.

slave states. High tariffs were valuable only for manufacturing districts, they said, and as the slave labor in the South could not be used in manufacturing and kept out free labor, the South could not devote herself to industry. Moreover, Southerners claimed that protection interfered with commerce by limiting exports, that it increased the price of all manufactured articles, and reduced the demand for labor. The wealth of the South depended on the sale of her surplus cotton, tobacco, and other agricultural products. Her exports were at this time much greater than those of the North, but the South was obliged to buy elsewhere what she needed, chiefly in the North, so that a protective tariff was a distinct disadvantage to her. Naturally in South Carolina and in some other states there was a growing sentiment that the Constitution did not give Congress the right to pass a tariff which protected one section only.

Nullification under the lead of Calhoun.

Peck, *Jacksonian Epoch*.

274. Nullification and the Compromise Tariff. — When the southern opponents of protection failed to defeat the tariff of 1832, they sought to apply the doctrine of nullification which Calhoun and Hayne had announced and explained. Calhoun was really the leader in this movement, for before 1832 he had advocated actual nullification of the tariff unless it was revised by eliminating the most protective features. But Calhoun's leadership of the nullification forces caused Jackson to consider the action of South Carolina in a personal light, for in 1830 he had discovered that Calhoun, as secretary of war in 1818, had wished to censure him for his actions in Florida (§ 261). This made him Calhoun's most bitter enemy, ready to attack Calhoun on the slightest provocation.

Nullification ordinance.

MacDonald, *Jacksonian Democracy*, 154–159.

A convention was called by the South Carolina legislature in October, 1832, for the purpose of nullifying the tariff of that year. Before it met Jackson had issued instructions to the revenue officers in South Carolina that would insure the collection of the tariff. But the convention proceeded to declare the tariffs of 1828 and 1832 null and void, prohibited the payment of duties after February 1, 1833, and declared

that the state would secede if force were used to collect the duties.

A few days later Jackson issued a proclamation written undoubtedly by his secretary of state, Edward Livingston, which made plain two things. (1) It contained an elaborate argument on the nature of the Union and declared that nullification is "incompatible with the existence of the Union, contradicted expressly by the letter of the Constitution, unauthorized by its spirit, inconsistent with every principle on which it was founded, and destructive of the great object for which it was formed." (2) Jackson's attitude toward South Carolina was stated clearly. "The laws of the United States must be executed. I have no discretionary power on the subject. My duty is emphatically pronounced in the Constitution. Those who told you that you might peaceably prevent their execution deceived you; they could not have been deceived themselves. Their object is disunion, and disunion by armed force is treason."

Jackson's counter-proclamation.

MacDonald, *Documents*, No. 55.

During the weeks that followed, South Carolina prepared to enforce her nullification ordinance; the President took every precaution to enforce the collection of the tariff in that state, and Congress discussed possible modifications of the tariff. February 1 brought no change, the duties being collected as formerly and a force act for their collection being authorized by Congress, March 2, because a change in the tariff seemed probable. Congress agreed finally to a "compromise tariff," proposed by Henry Clay. This provided for a gradual reduction of all duties which were in excess of twenty per cent until a uniform rate of twenty per cent was attained in 1842.[1]

Compromise.

MacDonald, *Jacksonian Democracy*, 161–168.

Schouler, *United States*, IV, 91–109.

Finance and Politics (1829–1843)

275. First Attack on the United States Bank. — Perhaps the most prominent feature of Jackson's administrations was the war which he waged on the second national bank.

The bank and its enemies.

[1] About one half of this reduction was to be made during the years 1841 and 1842.

Burgess, *Middle Period*, 190-198.

McMaster, *United States*, VI, 1-10.

Jackson looked upon the bank as a great monopoly, controlled by his political opponents and capable of dominating politics because of its resources and its influence in the world of business. At the time of Jackson's first inauguration few persons considered the bank a public menace, although its conservative methods had made it unpopular in the South and West. Business men as a rule placed great confidence in the bank, for although it had been mismanaged during the first five years of its existence, it had been reorganized and well managed for several years. Jackson's attention was called particularly to the bank in June, 1829, when some of his followers asked for the removal of the president of the branch bank at Portsmouth, New Hampshire. This was refused by the bank officials on the ground that the man was capable and had not been selected for partisan reasons.

Jackson's attack.

Election of 1832.

MacDonald, *Documents*, Nos. 46, 50-52.

McMaster, *United States*, VI, 133-140.

Dewey, *Financial Hist.*, §§ 86, 87.

Amer. Hist., Leaflets, No. 24.

The following December, in his first annual message, Jackson attacked the methods of the bank and its constitutionality, although the latter had been affirmed by the Supreme Court.[1] As Congress approved of the bank, nothing was done until, two years later, the President said he would leave to the people the question of rechartering a bank. The bank at once applied to Congress for a new charter, and its cause was championed by Clay, who was the candidate of the National Republicans or Whigs for the presidency. The bank bill was passed by both chambers by fair majorities, but was vetoed by the President, and failed to obtain the two thirds necessary to make it a law. In the election of 1832 the chief issue was that of the bank, but the campaign was really a personal contest between Jackson and Clay. Jackson was so popular that the people reëlected him by a large majority, the electoral vote being 219 for Jackson to 49 for Clay.

Removal of the deposits.

276. Overthrow of the Bank. — Jackson considered his reëlection as an indorsement of his bank policy, and began a much more active campaign against the bank. He wished

[1] In *McCullock* vs. *Maryland* (1819) (§ 254).

first to remove the government money, which had been deposited in branches of the national bank. This could be done only through the secretary of the treasury. As Jackson's secretary was unwilling to do this without the authority of Congress, his place was filled by William J. Duane who refused finally either to remove the deposits or resign. He was dismissed and his place filled by Roger Taney, who carried out the President's plan. For removing the deposits the President was censured by the Senate, the resolution remaining on the journal until expunged two years later.

MacDonald, *Documents*, Nos. 54, 57–62, 65.

Dewey, *Financial Hist.*, § 88.

White, *Money*, 301–311.

The government money at this time was deposited in state banks which were known popularly as "pet banks." There was considerable rivalry among the banks in order to secure a part of the funds, which were increasing constantly on account of the very great amount of surplus revenue. The system provided was so unsatisfactory that in 1840 an independent treasury was established by the Democrats (§ 278). This was abolished by the Whigs (1841) who desired another national bank, which they failed to get on account of President Tyler's opposition. When the Democrats again gained control of the government (1845), they reëstablished the independent treasury, which has been developed into the system that we use at the present time.

Substitutes for a national bank.

Dewey, *Financial Hist.*, §§ 89, 101, 103, 108.

Jackson's second term was a period of unusual, in fact unhealthy, business activity. Speculation was very common, and a wild scramble began for government lands, which were sold on easy terms (§ 289). The national bank, with its currency accepted at the same value everywhere and its conservative methods of making loans, had acted as a check on the smaller state banks and on business in general. But when it became apparent in 1834 that it would not be rechartered and the public moneys were deposited in the "pet banks," there began an era of "wild cat" banking unequaled during earlier periods. Bank notes were issued in immense quantities and loans were made on securities which

Results of the overthrow of the bank.

Wilson, *Div. and Reunion*, §§ 45, 46.

McMaster, *United States*, VI, 336–358.

possessed very little real value. Every one bought on credit, "boom" towns were started throughout the middle West, and land values rose to an absurd figure.

Extra revenue. Distribution of the surplus.

277. Government Revenues and the Panic of 1837. — So much public land was sold that the revenues from that source increased to nearly $15,000,000 in 1835 and nearly $25,000,000 in 1836, in the latter year for the first and only time in our history being the chief source of government revenue. The expenses of the government did not increase as rapidly as the income, but the compromise tariff of 1833 could not be changed and the public debt was extinguished in 1835. Strange as it may seem, a treasury surplus, especially when a nation has no debt, is a serious menace to business. In this case it was decided by Congress that the surplus should be distributed to the states in proportion to their representation in Congress. As objection was made that this would not be constitutional, the distribution was called technically a loan. As matter of fact, only three quarterly distributions were made, for the revenues fell off rapidly in 1837, when the panic began.

Dewey, *Financial Hist.*, §§ 92–94.

Schurz, *Clay*, II, 113–127.

The panic of 1837.

The real cause of the panic of 1837 was the unwise speculation culminating in 1836 and 1837, but the government helped to bring on the crisis not only by destroying the national bank, but in two other ways. (1) Because many of the notes issued by the western "wild cat" banks were of little or no value, Jackson issued through the treasury department in 1836 the famous "specie circular," requiring those who bought public lands to pay in cash. Almost all purchasers of government land had bought on the installment plan. There was very little specie in the West. Crops in 1835 had been a failure and the farmers could not obtain the little cash in circulation. The entire West was upset by this change. (2) When the pet banks were requested to turn over to the states the surplus which had been deposited with them, the banks were compelled to sacrifice their securities in order to obtain the money. In some cases banks were obliged to suspend payments on their notes.

Dewey, *Financial Hist.*, §§ 96–98.

Hart, *Slavery and Abolition*, 298–305.

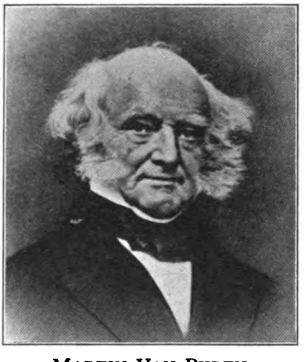
McMaster, *United States*, VI, 390–415.

The failure of western banks was followed by failures elsewhere of banks and later of business houses until the business depression was complete throughout the United States.

Van Buren.

278. Administration of Van Buren (1837–1841).—During the speculative excitement of 1836, Martin Van Buren of New York, the Democratic nominee, was elected president over William Henry Harrison of Indiana.[1] Van Buren had been known as a crafty politician before he became Jackson's secretary of state. His skill as a diplomat increased his reputation appreciably, and he undertook now to carry out Jackson's policy under very trying circumstances. During the business crisis of 1837 and the years that followed he exhibited firmness and good judgment in trying to save the government from financial difficulties, although he did not show those qualities of leadership which would have been invaluable to his party.

Van Holst, *Const'l Hist.*, II, 147–158.



MARTIN VAN BUREN

When it was found that the system of deposits with "pet banks" was unsatisfactory in almost every way, President Van Buren recommended to Congress, in 1837, the establishment of an independent treasury which would render the government independent of any banking institution. Subtreasuries were to be established at convenient places for handling government funds and the government was to conduct its fiscal operations without depositing its money with the banks. Congress debated the question for over two years before passing the act in 1840.

Independent Treasury Act (1840).

Dewey, *Financial Hist.*, §§ 99–101.

279. The Election of Harrison (1840).—Van Buren had not gained in popularity during his term, partly because of the hard times and his unwillingness to compromise in

Policy of the Whigs.

[1] His popular majority was 24,893, but the electoral vote was 177 for Van Buren, 73 for Harrison, and 57 for other Whig candidates.

Schouler, *United States*, IV, 327–335.

Stanwood, *Presidency*, Chapter XV.

any way with the opponents of hard money, but he was renominated by the Democrats without opposition. The Whigs began and continued the campaign with the determination to win. Instead of nominating Henry Clay, the real head of the party but a man whose political views were obnoxious to many voters, they selected William Henry Harrison, whose services during the war of 1812 had been only less conspicuous than those of Jackson. For vice president they chose John Tyler of Virginia, an anti-administration

A LOG CABIN

McMaster, *United States*, VI, 550–558, 572.

Democrat who was expected to bring the ticket many voters from Democratic ranks. Fearing that a definite statement of their policy would be a disadvantage, they adopted no platform, although Harrison made clear his preference for a national bank and a more liberal national currency and was outspoken in his opposition to the arbitrary executive rule of the last three terms.

New election methods.

Schouler, *United States*, IV, 335–341.

Not content with the natural advantages which hard times gave them, and an almost perfect union of all elements of the party, the Whigs introduced into the campaign methods that would appeal to the voters. Stump speaking was used very extensively. Great mass meetings were held, attended in at least one instance by one hundred thousand persons.

Processions paraded the streets, displaying banners, and drawing vehicles on which were log cabins or great casks of cider. Harrison was lauded as a plain citizen, a man of the people; Van Buren derided as an aristocrat who favored hard money and ignored the suffering caused by hard times. "Tippecanoe and Tyler too" was the cry of the Whigs. Against this campaign of enthusiasm and appeal to popular fancy, the Democrats, with their old-fashioned methods, could make no headway. When the votes were counted, it was found that Harrison had carried nineteen states to seven for his opponent and that his electoral vote was 234 against 60 for Van Buren. By the same election the Whigs gained control of the Senate and the House of Representatives.

McMaster, *United States*, VI, 562–595.

280. Tyler and the Whigs (1841–1842). — Exactly a month after Harrison was inaugurated, he died, and John Tyler became president. Tyler was known to be a strict constructionist and an opponent of a national bank, but a special session of Congress had been called by Harrison to consider the question of a bank, and that body proceeded at once to repeal the independent treasury act and pass a bill creating a "fiscal bank," which was little different from the second national bank. This bill Tyler vetoed because it created branch banks in the states. Congress at once passed a new bill chartering a "fiscal corporation," a term preferred by Tyler, which was supposed to embody the views of the President. Either because Tyler would not sign any bank bill or because he hoped to bring the Whig leaders in Congress into submission to himself, Tyler vetoed this bill also. The members of his cabinet resigned at once, with the exception of Webster, secretary of state, who was negotiating with Great Britain a treaty to define the northeastern boundary of the United States. The break between Tyler and the Whigs was complete.

Quarrel over a bank.

Dewey, *Financial Hist.*, § 103.

Wilson, *Div. and Reunion*, §§ 68–70.

McMaster, *United States*, VI, 628–637.

The northern boundary of Maine had been in dispute since the treaty of 1783. At that time the line was designated as the highlands that separate the rivers that flow into the St. Lawrence from those that flow into the Atlantic Ocean. As

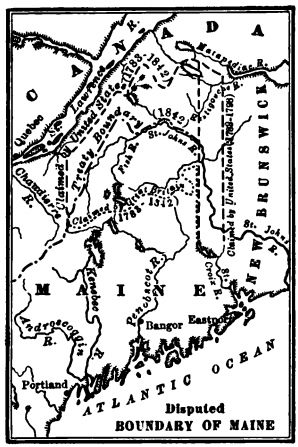
Webster-Ashburton treaty (1842).

MacDonald, *Documents*, No. 70.

Lodge, *Webster*, 252–260.

Garrison, *Westward Expansion*, 67–84.

the St. Johns River empties into the Bay of Fundy, England maintained that the valley of the St. Johns did not belong to the United States. Naturally we claimed all that part of the valley west of the eastern boundary of Maine. An attempt was made to submit the dispute to the king of the Netherlands as arbitrator (1827), but he proposed a compromise line which neither party would accept. On account of an insurrection in Canada in 1837 and bad feeling over the dispute, some decision became necessary to avoid worse troubles. England sent a special envoy, Lord Ashburton, and a compromise line was agreed upon, the United States yielding some of her claims in the St. Johns valley and Great Britain receding from most of her claims in Maine and practically all in northern New York.[1]



Democratic changes (1829).

281. **Summary.** — The democratic movement which had made fair headway before 1825 in the states, especially in the Mississippi basin, was responsible for the election of Jackson to the presidency in 1829. At this time numerous democratic changes were introduced in the policies of the political parties and the national government. A system of nominating conventions came into use. Appointments to office were made for partisan reasons more than at any other time. The national government responded readily to the will of the people, because both political parties favored a fairly strong national government and Jackson believed thoroughly in a national democracy.

State and national sovereignty.

National development caused controversies with the states over the rights of the states and of the national government. In the Webster-Hayne debate especially the issue

[1] As to the location of the boundary supposed to be parallel 45.

between national and state sovereignty was clearly defined. The old theory in favor of the states was upheld by the older sections of the Union, especially the South, whose agricultural progress seemed to be threatened by the protective system adopted by Congress. Although South Carolina tried to nullify the tariffs of 1828 and 1832, the state did not attempt to enforce its nullification ordinance and Congress yielded to the extent of passing the compromise tariff of 1833.

Financial problems.

Financial questions engaged a large share of attention during the administrations of Jackson and Van Buren. Jackson's attack on the United States bank on the ground that it enjoyed a political monopoly caused the overthrow of the bank and led to the establishment of very many "wild-cat" banks. Speculation in lands by the people and immense issues of paper by the banks culminated in 1837 in a panic, the business depression lasting about six years. The hard times reacted against the Democrats, but the Whigs failed to gain a real victory because Harrison's death deprived them of the presidency. Even during Tyler's term the question of slavery was obscuring the factional quarrels which filled most of the years before 1843.

TOPICS

1. BEGINNINGS OF THE NOMINATING CONVENTION: Ford, "American Politics," Chapter XVI; Dallinger, "Nomination for Elective Office," pp. 13–45; Woodburn, "Political Parties and Party Problems," pp. 151–174; Ostrogorski, "Democracy and the Organization of Political Parties," II, pp. 39–79.

2. NULLIFICATION BY SOUTH CAROLINA: Johnston, "American Political History," I, pp. 421–437; Burgess, "Middle Period," pp. 220–241; McMaster, "People of the United States," VI, pp. 148–175; Schouler, "United States," IV, pp. 85–111; Von Holst, "Constitutional History of the United States," I, pp. 495–505.

3. THE SECOND BANK OF THE UNITED STATES: Von Holst, "Constitutional History," II, pp. 31–68; Sumner, "Life of Andrew Jackson," pp. 254–276, 291–310; Burgess, "Middle Period," pp. 190–209, 278–284; White, "Money and Banking," pp. 291–312.

STUDIES

1. Protection and the tariff of abominations. (Taussig, "Tariff History of the United States," pp. 68–108.)

2. Webster and Hayne on national and state sovereignty. ("American History Leaflets," No. 30.)

3. The election of 1832. (Stanwood, "History of the Presidency," Chapter XIII.)

4. Banking and internal improvements in a western state. (Cooley, "Michigan," pp. 254–293.)

5. Foreign affairs under Jackson and Van Buren. (Foster, "Century of American Diplomacy," pp. 273–281.)

6. The Seminole War. (McMaster, "People of the United States," VI, pp. 329–334, 463–466.)

7. The expunging resolution. (Benton, in "American Eloquence," I, pp. 320–336, and in Benton's "Thirty Years," I, pp. 528–550.)

QUESTIONS

1. Could political class rule have been abolished during this period except through the convention and by the use of the "machine"? Was the new system preferable to the old? Give reasons for your answer.

2. Compare the "political revolution" of 1829 with that of 1801. Consider character, change from former system, and influence of each.

3. State the difference between Jeffersonian Democracy and Jacksonian Democracy. Where were the Democrats strongest? Why was the Democratic party successful almost without interruption until 1860?

4. Explain the differences between nullification in Kentucky (1799), that in New England (1814), and in South Carolina (1828 and 1832). How was the attitude of Georgia in regard to the Indians unlike that of South Carolina on the tariff?

5. Did Webster or Hayne occupy the more correct position, historically? State your objections to the arguments of each. How was the question of national or state supremacy decided in the nullification controversy of 1832 and 1833?

6. Had the national bank failed to establish a uniform and sound currency, as Jackson claimed? Was the bank dangerous because of its influence in elections?

7. What were the most important political doctrines of the Whigs? To what extent was their comparative failure due to the unpopular issues they indorsed? to unwise political deals (as in 1840)? to other causes?

CHAPTER XIV

A HALF CENTURY OF CHANGES

TRANSPORTATION AND BUSINESS (1815–1860)

Progress during the half century.

282. The Steamboat. — The first half of the nineteenth century is notable not alone for the remarkable development of the spirit of nationality within the United States. It is almost as noteworthy for the great advance made in the ideas of political and social equality, for the numerous mechanical improvements which brought in an age of machinery, and most of all perhaps for the changes in the methods of transportation by land and water which have revolutionized traveling and commerce within the boundaries of the United States.

The earliest steamers.

McMaster, *United States*, III, 486–494.

Marvin, *Am. Merchant Marine*, 395–402.

The steam engine was used for water transportation twenty years before the first steam railways were operated. Experiments with steamboats had been made during the later years of the eighteenth century, but it was not until 1807 that Robert Fulton constructed a steamboat that was an unqualified success. After Fulton's *Clermont* made the trip from New York to Albany in thirty-two hours, and began a little later to carry passengers and freight regularly, steamboats were built on many of the rivers and lakes east of the Mississippi. Before 1825 there were several plying on the Mississippi and its tributaries and a few employed on the Great Lakes and for the coasting trade. In 1819 a vessel, the *Savannah*, crossed the ocean in twenty-five days by using steam and sails, although it was 1838 before the first ocean steamer made that voyage. About the same time Ericsson invented the screw propeller, which was very much more satisfactory than the old side-wheels used in the steamers of an earlier day.

Use of the steamboats in the West.

Steamboats were especially valuable in the West. Before this time it was easy to descend the Cumberland, the Ohio, or the Mississippi by barge or raft, but little progress could be made against the current. The trader from Kentucky or the prairie country could carry his wares to Natchez or New Orleans, but was obliged to return home by horseback over the western trails or go by ship to Philadelphia and come west by road. During the War of 1812 the first regular steamboat began to ply between Pittsburg and New Orleans, and from that time communication between different parts of the great western basin was comparatively easy.

Sparks, *Expansion of Am. People*, 270–274.

McMaster, *United States*, IV, 397–407.

Interest in the subject.

283. The Era of Canals. — Improved means of communication by river undoubtedly gave an impetus to the building of canals, in which many people were interested before the steamboat was invented. Among others Washington formed a plan for the construction of a series of canals to cross the numerous peninsulas of the Atlantic coast or to connect the eastern cities with the Mississippi basin. The original cost of constructing a canal was a serious obstacle, but the great reduction in freight charges and the greater ease of traveling would, it was thought, justify a considerable outlay. Gallatin and others tried to interest national officials in plans for interstate canals, but Congress did not appropriate money for them as it did for the Cumberland road (§ 256). The credit for the canals which were constructed in such numbers between 1815 and 1835 belongs to individuals or to far-sighted state officials.

Johnston, *Railway Transportation*, 14–19.

McMaster, *United States*, III, 471–480.

Erie canal.

The earliest of the canals built on a large scale was the Erie canal which connects the Hudson River with Lake Erie. By following the Mohawk River this canal was built across the only low pass through the Appalachian range of mountains. This was a state enterprise which was completed in 1825 largely through the efforts of DeWitt Clinton. The canal was much narrower and shallower than it is to-day, but it shortened the journey from Albany to Buffalo several days and it reduced the price of freight many times. From

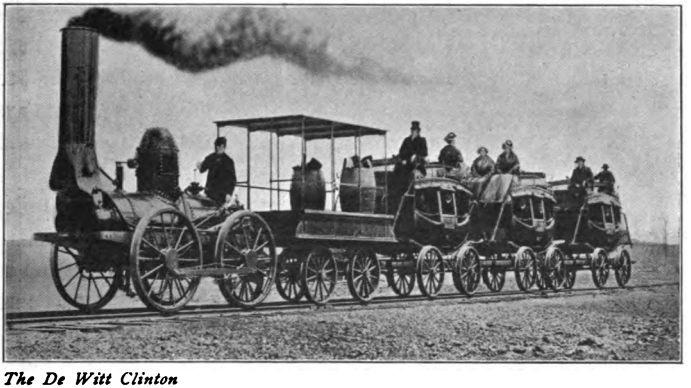
McMaster, *United States*, IV, 415–418, V, 132–136.

the beginning it was a financial success and the profits repaid the cost of the canal within ten years.

Pennsylvania was almost as much interested in canals as New York, but accomplished less because of the mountains in the western part of the state. This difficulty was solved by building canals as far as possible from the east and from the west and connecting them by a " portage railway," over which the canal boats were carried. Other states, east and

Canals in other states.

Coman, *Industrial Hist.*, 205–211.



The De Witt Clinton
RAILWAY TRAIN IN AN EARLY DAY

west, began to build canals because of the great profit made by New York, but because of geographical difficulties or sparseness of population, most of these were not financial successes.

McMaster, *United States*, V, 136–143.

284. Railways. — Interest in the construction of canals almost ceased when the railway came into use between 1830 and 1840. The cost of laying a railway track was less than the cost of digging a canal. Railways could be built on grades instead of nearly level areas and railways could be operated the entire year, so that they were preferable in almost every respect to artificial waterways. The earliest railways were practically horse-car lines of no great length. About the time that Jackson was inaugurated, the perfection of Stevenson's *Rocket* showed that locomotives were better than any

First railways.

Coman, *Industrial Hist.*, 235–241.

Johnson, *Railway Transportation*, 18–24, 34–44.

McMaster, *United States*, VI, 86–93, 342, 350.

other motive power, and, within a few years, railways were operated from Boston, New York, Philadelphia, Baltimore, and Charleston to neighboring towns, as well as between smaller cities that were farther apart.

Government and early railways.

Hart, *Slavery and Abolition*, 39–45.

Johnson, *Railway Transportation*, 308–311.

These railways were built principally by private capital, but in Michigan and a few other states they were public enterprises. Subsidies were granted to a large number of railways by different states and cities during this period, and public money was invested in railways on every side. The results were disastrous, as the public roads could not pay expenses and were sold after a few years. Very little of the capital contributed by the states was ever returned to them. After 1850, however, the states gave to the railways large bonuses of public lands which had been contributed by Congress for that purpose.

Railway development (1830–1860).

Johnson, *Railway Transportation*, 24–27.

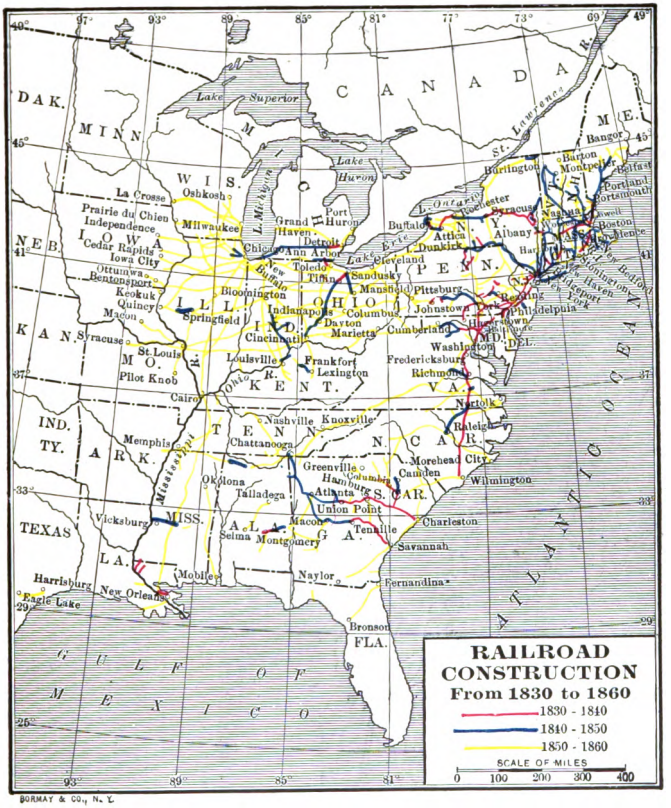
Smith, *Parties and Slavery*, 59–67.

Semple, *Geographic Conditions*, 371–389.

Although in 1830 there were less than twenty-five miles of steam railway in use in this country, the mileage had increased to nearly 3000 in 1850 and to more than 30,000 at the beginning of the Civil War. Before 1840 there was no line 100 miles in length. In that year there were eleven distinct railways connecting Albany with Buffalo. These were finally consolidated into a single railway system soon after 1850, but it was not until 1858 that cars ran on the track of a single company from New York to Buffalo. About the same time the first series of railways connected New York with the Mississippi River. This policy of consolidation, which made rapid progress during the decade before the Civil War, aroused most serious opposition. Politicians sought to make political capital out of the threatened dangers of monopoly, and the mass of the people would have prevented continued consolidation had it been in their power.

Importance of means of communication for a large country.

285. Significance of Improved Means of Transportation. — The transformation wrought by these changes on land and water were greater than might be apparent at first. In a country covering so vast a territory as ours, with the limited interstate trade or travel and the comparative lack of common interests among the people of the states which


RAILROAD CONSTRUCTION
From 1830 to 1860
1830 - 1840
1840 - 1850
1850 - 1860
SCALE OF MILES
0 100 200 300 400
CANADA
ATLANTIC OCEAN
GULF OF MEXICO
DAK.
MINN.
WIS.
MICH.
IOWA
NEB.
KANS.
ILL.
IND.
OHIO
KY.
TENN.
MISS.
ALA.
GA.
FLA.
S. CAR.
N. CAR.
VA.
W. VA.
PENN.
N. Y.
MD.
DEL.
N. J.
MASS.
R. I.
VT.
N. H.
ME.
TEXAS
LA.
IND. TY.
ARK.
Lake Superior
Lake Michigan
Lake Huron
Lake Erie
L. Ontario
St. Lawrence R.
Mississippi R.
Ohio R.
Missouri R.
Hudson R.
Connecticut R.
Chesapeake Bay
Delaware Bay
Long Island Sd.
Buffalo
New York
Boston
Philadelphia
Baltimore
Washington
Pittsburg
Cleveland
Detroit
Chicago
Milwaukee
Cincinnati
Louisville
St. Louis
Memphis
New Orleans
Mobile
Charleston
Savannah
Wilmington
Richmond
Norfolk
Portland
Bangor
Montreal
Quebec
Albany
Syracuse
Rochester
Toledo
Sandusky
Columbus
Indianapolis
Springfield
Nashville
Knoxville
Chattanooga
Atlanta
Macon
Montgomery
Selma
Vicksburg
Harrisburg
Eagle Lake
Fernandina
Jacksonville
Bronson
Tallahassee
Union Point
Tennille
Greenville
Hamburg
Columbia
Camden
Morehead City
Raleigh
Petersburg
Fredericksburg
Frankfort
Lexington
Cairo
Pilot Knob
Keokuk
Quincy
Macon
Bloomington
Ottumwa
Bentonsport
Iowa City
Cedar Rapids
Prairie du Chien
Independence
La Crosse
Oshkosh
Grand Haven
Port Huron
Ann Arbor
Dunkirk
Attica
Buffalo
Oswego
Utica
Albany
Troy
Schenectady
Saratoga
Rutland
Burlington
Montpelier
Belfast
Portland
Lowell
Boston
Salem
Hartford
Springfield
Worcester
Providence
Newport
New Haven
Bridgeport
Stamford
Harrisburg
Reading
Philadelphia
Johnstown
Pittsburg
Cumberland
Hagerstown
Washington
Baltimore
Wheeling
Marietta
Dayton
Cincinnati
Lexington
Frankfort
Louisville
Evansville
Terre Haute
Indianapolis
Springfield
Bloomington
Peoria
Galena
Chicago
Milwaukee
Detroit
Toledo
Sandusky
Cleveland
Erie
Buffalo
Rochester
Syracuse

existed three quarters of a century ago, real union was impossible except through the use of good means of communication. There were very few good roads in the United States at that time. Some turnpikes had been constructed, usually within the limits of a single county, but the condition of the rest of the roads was deplorable in the spring or in rainy weather. Moreover, with the exception of the Cumberland road and a few others, the better highways never crossed state boundaries. Emigrants used the trails or hastily constructed roads and followed the rivers, of which there were a large number in the West; but traders found it impossible to transport goods a great distance on land, or even on water unless they were going downstream. The early settlers were forced to live near rivers if they raised articles for a market other than that of their own locality.

Value of waterways after 1815.

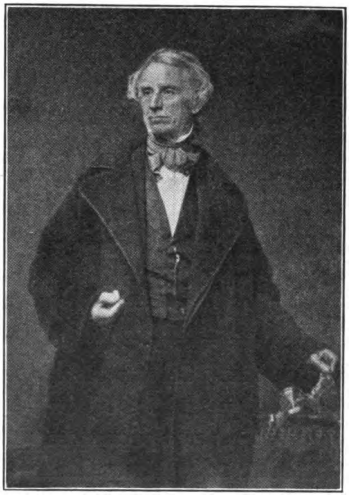
By the use of the steamboat passengers and merchandise were transported easily and rapidly from the cities of the Atlantic border and Gulf to the upper waters of the coast rivers or those of the Mississippi system. A large interstate trade was developed on the Mississippi and its tributaries which had been impossible before except downstream. Rivers of the western basin that hitherto had been inaccessible were reached without difficulty. Districts distant from the rivers were penetrated by the canals that were built to connect large rivers or important bodies of water. This opened large territories to cultivation and was an important cause of the great development of the middle West during the quarter century following the second war with England. The reduction in freight rates over the canals gave a tremendous impetus to the industries of the towns and valleys that could now find a market for their productions. This commerce was especially valuable to the eastern cities, for the canals diverted trade from the earlier channels of the western rivers so that the exports of the prairie states no longer went through New Orleans exclusively. New York owed a large part of her commercial supremacy after 1820 to the Erie canal.

Turner, *New West*, 32–38, 96–106.

Semple, *Amer. Hist. and its Geographic Conditions*, 252–278.

Development by means of railways.

As the railway superseded the canal, the social expansion and industrial development begun by the improved means of communication by water was extended many times. Trips that in 1800 took a month and, in 1825, weeks, could now be made in as many days. The railways went everywhere, not only bringing new settlers and increased business, but giving improved mail service and permitting the interchange of new ideas and methods. Chicago was in 1860 as near to New York in time as Philadelphia had been a century earlier. The South lost most of the trade from the Middle West, but the Northeast and Northwest were united by closer commercial ties than formerly, so that the whole North was united as never before.



MORSE AND HIS INSTRUMENT

First telegraph line and cable.

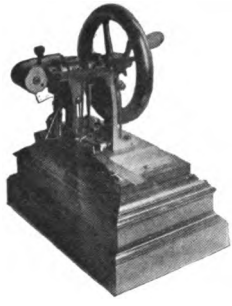
Bryn, *Progress of Invention*, 15–22, 32–35.

286. The Telegraph and Other Inventions. — Annihilation of distance by steam was little less noteworthy than the infinitely more rapid transmission of news by electric telegraph. The perfection of the first successful transmitter and the operation of the first satisfactory telegraph line were due to the genius and persistence of Samuel F. B. Morse. Morse had made use of crude telegraphic apparatus as early as 1832, but was not able to construct a line until Congress appropriated $30,000 to build a line from Washington to Baltimore. The first important news sent over this line told of the proceedings in the Democratic nominating convention of 1844. Before the Civil War all important cities and towns in the country were reached by the wires of some

telegraph company, and an Atlantic cable had been laid. This cable was not successful, and in 1866, through the efforts of Cyrus W. Field, a new cable connected Europe with America. Perhaps we can get some idea of the value of the telegraph if we note its use in conducting a single business like that of a railway, in transmitting general news, and in dealing with questions of international importance which require prompt attention.

Inventions (1815–1840).

The period following 1815, especially after 1829, witnessed a revolution in the methods of production due to changes in the machinery used. Among the inventions which affected industry or increased the comfort of the people may be mentioned the improvements in plows, the invention of reapers and binders and threshing machines, improved cooking stoves, the first successful sewing machines, and rotary printing presses. The process of making vulcanized rubber was perfected, the first friction matches were used, the earliest daguerreotypes taken at this time. Illuminating gas began to come into common use. In 1860 people lived in much greater comfort than in 1830 and they purchased most articles of common use at a much smaller price.



HOWE'S ORIGINAL SEWING MACHINE

Wright, *Industrial Evolution*, 140–142, 323–342.

Bryn, *Progress of Invention*, 156–161, 183–191, 195–203, 210–216.

287. Industrial Changes after 1810. — On account of the improved machinery used after 1810, a change occurred in the methods of manufacturing. Until about 1810 most articles had been produced in small shops or in the homes of the workers. Soon after 1810 machinery came into general use for the weaving of cotton and woolen cloth and in other industries. Large foundries, using anthracite and bituminous coal, displaced the smaller foundries and forges in use at an early day. Manufacturing under the factory system was much more economical than the older methods, and the value of the products very much greater.

Use of machinery.

Wright, *Industrial Evolution*, 117–131.

Degree of industrial development.

Wright, *Industrial Evolution*, 132–142.

The industrial development between the second war with Great Britain and the Civil War was rapid, but not greater than the increase in agriculture and commerce. There were many difficulties to be overcome in starting these "infant industries." Aid was given by the national government in the tariff of 1816 and for about two decades following, but the system of protection was practically abandoned during the quarter century preceding the Civil War. Manufacturing was a much less essential part of the nation's life than it has been since the war between the North and the South. Very few products of the factories were exported and only four per cent of the people were employed in manufacturing.

Prosperity and panics (1815–1843).

During the period from 1815 to 1843 the country passed through several periods of prosperity and depression. The excessive activity following the war of 1812 ended in 1819 in a panic which affected business in general and the new cotton and woolen industries especially. The hard times of that period reacted on the people, many of whom were less in favor of the expansion of national authority than at the close of the recent war (§§ 249–257). The return of prosperity before the election of Jackson restored confidence and enthusiasm for national expansion, and culminated finally in more radical speculation than had ever been tried before (§ 276). The panic of 1837 (§ 277) put an end to "wild-cat banking," to the "booming" of town lots and public lands, and to unwarranted business ventures, ending as it did in the greatest business depression suffered by the people to this time.

Tariff of 1842.

Dewey, *Financial Hist.*, § 102.

288. The Era of "Free Trade" (1846–1857). — The country had not recovered from the hard times which followed the panic of 1837, when the compromise tariff of 1833 was completed by the final reduction of duties in 1842 to a level of twenty per cent. As the government obtained insufficient revenue from the duties on imports, a new tariff was proposed by the Whigs and passed in 1842 which restored the policy of protection, with rates averaging about the same as those in the tariff of 1832.

Opposition to protection developed again as soon as good times returned a year or two later. The Democrats, successful in the election of 1844, made their plans for a free-trade tariff. Articles were classified in schedules, with rates from five per cent to one hundred per cent, and many articles on the free list. All rates were levied on the *value* of goods for the first time, and a great amount of fraud resulted because importers undervalued their goods.

Walker tariff of 1846.

Because of the reaction from the depression which lasted from 1837 to 1843, the decade following 1846 was one of unusual prosperity. Our foreign trade, which in 1846 amounted to $227,000,000, had increased in 1857 to $642,000,000. Large numbers of immigrants came from Europe every year. Crops were large, prices were high, and business of every kind active. Immense amounts of gold had been taken from California since its discovery in 1848, so that money was plentiful. Capital was invested recklessly, especially in real estate and in railways.

Prosperity (1845–1857).

Dewey, *Financial Hist.*, §§ 110–112.

Rhodes, *United States*, III, 14–27.

Since the government revenues exceeded the expenditures which the conservative politicians in control of Congress believed it to be wise or constitutional to make, a new tariff act was passed in 1857, reducing the rates on articles imported. Scarcely had this been done when excessive speculation led to a panic which affected business in general, and the railways in the interior particularly. Failures were numerous and the government kept getting deeper into debt during Buchanan's administration, although business revived more rapidly than is usual after a depression.

Tariff and panic (1857).

Dewey, *Financial Hist.*, § 113.

Rhodes, *United States*, III, 44–56.

Political and Social Changes

289. Opening of the Government Lands. — The rapid development of political and social democracy during the first half of the nineteenth century was due especially to the growth of the West. The population of the Middle West increased from less than five hundred thousand inhabitants in 1800 to more than seven and one half millions in 1850. This expansion was influenced not alone by the improved

Land systems before 1820.

Turner, *New West*, 84–87, 135, 140–143.

means of communication in the Mississippi basin, but by the liberal land policy of Congress. When the states ceded to Congress (1781–1802) their claims to lands in the West, Congress gained the title to all unoccupied lands in that region. A system of surveys was begun in 1785, following after 1796 a plan similar to that used at present.[1] Congress expected to derive from the sale of these lands considerable revenue, of which it was greatly in need, but the profits during the Confederation were slight. After other sources of national income had been devised under the Constitution (§§ 198, 217), Congress in 1800 decided to sell lands in blocks of 320 or 640 acres at $2 per acre, payable in installments. Later laws made it possible to purchase for cash public lands in still smaller lots, usually 160 acres, a quarter section, the price being reduced somewhat, especially for actual settlers.

Extensive sale of lands.

Many of these lots were taken by speculators, who secured the choicest sections in the fertile valleys and expected to sell them at a great advance. Most of the sales were to actual settlers, except during the years from 1834 to 1837, when a mania for speculation in lands and the subdivision of districts into town sites reached its maximum. During the first forty years of the century an area was sold equal to that of the three states of Illinois, Wisconsin, and Iowa. Such reckless disposal of the best lands in the finest agricultural region on the globe was unfortunate except when the lands were taken by actual settlers. Yet the impetus which it gave to immigration into the West and the influence which the sale of lands in small blocks had upon the democratic character of the western states, makes the subject one of the greatest importance.

Hart, *Practical Essays*, 239–244.

MacDonald, *Jacksonian Democracy*, 276–285.

Donaldson, *Public Domain*, 200–208.

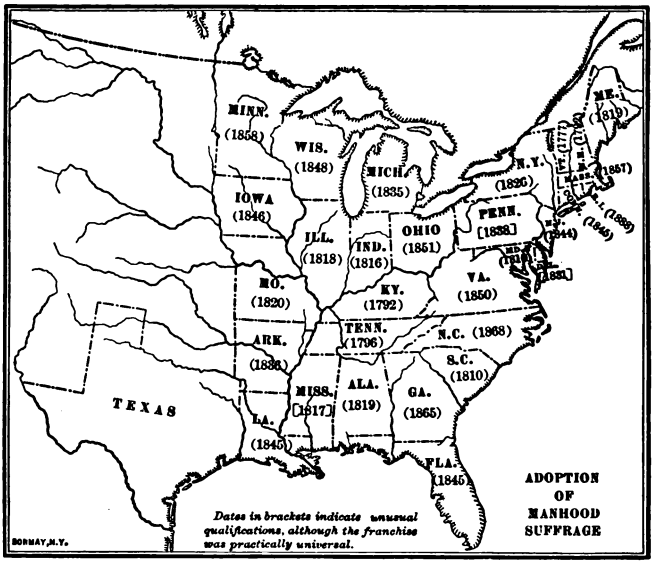
290. Development of Democracy. — The democratic spirit which developed rapidly after 1815 affected the national government much less than it did the states, especially in the West. Frontier life, with its crude conditions, its lack of huge estates or great fortunes, is a social leveler. Men are

Universal movement toward democracy.

[1] See Ashley, "American Government," § 299.

judged on their merits, not by the standards of money or former social position. In the West accordingly democracy, political and social, was perfected at an earlier date than elsewhere. But the changes in the West affected the East, whose people protested against the old inequalities which kept many men from voting and gave more legal rights to some than to others. This democratic movement was more

Turner, *Frontier in History.*



pronounced in this country than elsewhere, but the same spirit produced in Europe reform movements or revolutions which sought to abolish class rule and secure justice for the masses. These culminated in the widespread revolutions of 1848.

In the United States the demand of the people for a share in the government produced, first of all, changes in the suffrage. In 1815 only three or four states along the Atlantic border allowed all men to vote, although most of those in the Northwest and Southwest had very liberal qualifications for voters. Thirty years later practically all of the states

Changes in the franchise.

Thorpe, *Const'l Hist. of Am. People*, II, 476–482.

McMaster, *United States*, V. 380–394.

Schouler, *Const'l Studies*, 231–248.

allowed white men to vote without other restrictions than citizenship and a short period of residence in the state. New York permitted blacks to vote if they owned property, but, as a rule, the laws of the period restricted rather than increased the voting privileges of free negroes. Many of the western states tried to attract immigrants by allowing those who intended to become citizens the same privileges as citizens, and two states allowed all adult male residents to exercise the elective franchise.

Popular participation in government.

Thorpe, *Const'l Hist.*, II, 426–428, 458–476.

Schouler, *Const'l Studies*, 267–292.

291. Changes in the States. — Popular demand for a share in the work of governing effected much more than the right to vote. Formerly, most officials had been appointed, the governor being the only state official chosen before this time by the people in all of the states. Local sheriffs and city officials were no longer appointed. Even the judges in most of the states were chosen by popular vote. Moreover, after 1820 the people insisted that their state constitutions should be submitted to them after they had been drafted by the conventions chosen for that purpose.

Distrust of the legislatures.

Thorpe, *Const'l Hist.*, II, 413–419.

Popular distrust of the officials chosen even at general elections was shown by the great number of subjects that were included in the state constitutions. The legislatures, which in 1776 by general consent had held almost continuous sessions, were forced to be content with sessions of about sixty days once in two years. Many powers were taken from the legislature, so that the people should not suffer too severely from the bane of overlegislation, which had afflicted more than one of the states.

New activities of the states.

Thorpe, *Const'l Hist.*, II, 429–446.

Nevertheless the people of the states were willing to try new experiments. They undertook the construction of numerous canals (§ 283), voted public money as bonuses for roads, and invested state funds in speculative enterprises which promised to develop the resources of the state, but resulted in nothing but the exploitation of the public treasury. Permission was given to numerous "wild-cat banks" which issued notes practically without limitation and on very limited credit or capital. Yet the enterprise and spirit which

prompted all of these movements resulted in wonderful changes in the condition of those whose rights had been denied before that time.

Equalization of rights.

292. Social Legislation. — It was inevitable that sooner or later class privileges should disappear. We have noticed already that religious qualifications for the franchise had been the first to go, and that property was not required of voters to any extent. Laws of inheritance no longer gave the eldest son a special share. Imprisonment for debt had been discontinued gradually after 1776, and was used very little in 1840. The newer states were beginning to make homesteads exempt from seizure by creditors. Through constitutional provision or statute some states were following the example of the national government which in 1840 made ten hours a day's labor for its employees, but most changes of this character came later, after the Civil War. In some cases the constitutions expressly stated that married women might hold property in their own names, and gave them certain other specific rights before the law and in inheritance. The movement in favor of equalization among white men was almost universal, though less pronounced in the older and more conservative sections.

Cleveland, *Democracy*, 359–363, 379–385.

Beginnings of prison reform.

An instance of the humanitarian changes of the time is furnished by the prisons. The prisons of the eighteenth century were of the worst description, the prisoners being herded together irrespective of age, offense, and other conditions, sometimes kept in cellar dungeons or in damp, unventilated mines. Little improvement was made until, about 1830, a few model prisons were built, in which prisoners were allowed to work under sanitary conditions, and decent food and shelter were provided.

McMaster, *United States*, I, 98–102, IV, 532–549, VI, 96–99.

New public school system.

293. Newspapers and Education. — The same causes which gave the people so much power in political affairs were influential in the extension of systems of free education. Not only did people begin to realize that it was necessary to be trained for their civic duties, but they felt that the state owed every child the opportunity of a good education. Under the

McMaster, *United States*, V, 343–372.

lead of Mann and Barnard, New England built upon her old foundation of belief in common schools a far more perfect free system than had yet existed. In the West democracy insisted upon education as a right. As all of these states had once been parts of the public domain, each had an educational fund of one section, or, after 1848, of two sections, in each township. This greatly lightened the burden of the local school taxes, and thus gave the West decided advantages over the East.

Cheap daily newspapers.

Hapgood and Maurice, *Bookman* 14 (1902), 567–584.

One of the greatest educational forces of that day and the era since that time has been the modern newspaper. The newspapers of the eighteenth century usually contained four small pages with comparatively little news and very little advertising. As better presses were invented, the New York *Sun* and other papers were published at one cent (1833), the first modern newspapers at a popular price. These papers, especially in New York, were developed into bright, interesting sheets, with valuable editorial comment on public questions. Soon there were very few villages which did not have a local newspaper. Everywhere these papers exerted a tremendous influence on public sentiment. It is said that the feelings of a large class were expressed by the old farmer who was asked his opinion on some public question and replied, " I don't know. The *Tribune* has not come yet." [1]

Improved mail service.

Harrison, *This Country of Ours*, 233–240.

The national government helped to bring this education to the people by revising its postal system. It adopted adhesive stamps and reduced letter postage from twenty-five cents for all distances over four hundred miles to a uniform rate of three cents per half ounce for all distances less than three thousand miles on newspapers and other periodicals. Rates were lowered later to one cent per pound, if sent direct from the publishers. For a long time this involved considerable loss, and in fact the receipts do not equal the expenditures to-day; but this loss, most of which comes from the transportation and delivery of periodicals, is justified on the ground that it is a public service of exceptional value.

[1] The New York *Weekly Tribune*, edited by Horace Greeley.

294. American Cities. — No part of the nation grew with greater rapidity during the first half of the nineteenth century than the cities. In 1800 only four contained as many as ten thousand inhabitants, but in 1850 the number of cities of that size was 41. In the half century the urban population had increased more than three times as rapidly as the population of the entire United States. The largest city, New York, was a thriving metropolis of over a half million, just beginning the decade of most rapid growth in its history. Many of the Irish who came to America between 1846 and 1860 settled in these bustling centers of population, and thousands of farmer boys and girls left the country yearly for the more active life of the railway centers or the factory towns.

Growth in half century.

Fairlie, *Mun. Administration*, 77–85.

Most of the cities abandoned the old undemocratic government that they had used during the colonial and early national periods. In adopting a more popular system the cities showed most of the faults with few of the excellencies possible in popular rule. In them the "spoils" system was brought nearest perfection, and "boss" rule was developed most easily. This demoralizing state of affairs was probably due to two things. (1) The growth of the cities was quite rapid, and a large part of the new population was foreign. As suffrage was universal, and a declared intention to become a citizen often gave an ignorant immigrant a vote, the elections were decided by an element easily led and corrupted. (2) The rapid growth made extensive improvements necessary. This expenditure acted as a temptation to certain of the lower classes to take part in city government, and, as the money was expended by these persons, it tended to increase the evils already existing. So democracy in the cities came near being mob rule.

Changes in government.

Fairlie, J. A., in *Municipal Programme*, 11–17.

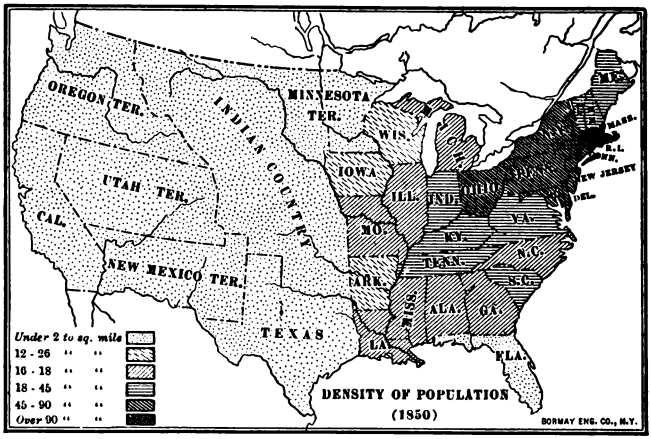
Free and Slave States

295. Growth of the United States. — In 1800 the United States extended from the Atlantic to the Mississippi River and from the Great Lakes to the Floridas. In 1850 its

Territorial expansion (1800–1850).

Garrison, *Westward Extension*, 22–42.

western boundary was the Pacific Ocean. Louisiana, with its indefinite western boundary, had been acquired from France in 1803. The Floridas had been ceded by Spain in 1819, and our title to Oregon from 42° to 49° became clear in 1846. In 1845 we annexed the republic of Texas (§ 302), and when Mexico objected, we made war on her and seized the territory from the Rio Grande to the Pacific. In a half



century the United States had grown to more than three times its original size, had acquired a natural boundary on the southeast, and had gained a seacoast more than one thousand miles long on the Pacific — a magnificent domain, symmetrical, productive, with unlimited natural resources, and located midway between the well-developed nations of Europe and the older civilization of the Far East.

Increase in population.

The population meanwhile had doubled every twenty-five years. From only 5,300,000 inhabitants in 1800, the number had increased to 23,000,000 in 1850 and more than 31,000,000 in 1860. But the growth was not uniform throughout the country. The population of the older states had not increased as rapidly as that of the West, although in 1850 nearly one half of the people lived east of the Alleghany

Garrison, *Westward Extension*, 3–21.

mountains. The cities had grown more rapidly than the country, although more than eighty-seven per cent of the people still lived on farms or in villages. The South had not kept pace with the North, for, although they started together in 1800, the free states contained 4,000,000 more people than the slave states in 1850, and in 1860 were nearly 7,000,000 in advance of the southern states.

Irish and German immigrants.

296. Foreign Immigration. — A considerable part of this increase was due to the very large immigration from Europe which followed the Irish famines after 1845 and the failure of the revolutions in Europe in 1848. About two and one half millions came during the first half of the nineteenth century and as many more landed at the ports of the United States during the decade from 1850 to 1860. Most of these were Irish or Germans, people of unusual intelligence and energy who threw in their lot with the people of the United States and discarded to a large extent all their former social characteristics. Many of the Irish settled in the cities where they interested themselves particularly in the work of city government, often complicating the problems that the cities were forced to solve during this transitional period of their existence. Many of the other immigrants went directly to the West, where they obtained government lands. Almost without exception they settled in the North in order to avoid competition with slave labor.

Thorpe, *Const'l Hist.*, II, 496–498.

Hall, *Immigration*, 6, 10.

National influence of foreigners.

Had it been impossible for the United States to assimilate so large a body of foreigners, their great numbers would have been a decided menace to our institutions. Yet nowhere did they retain their old national characteristics of race, language, and customs, for, even if the first generation failed to become truly American, it was never so with the second. As they were industrious and thrifty, they increased the wealth and producing power of the nation. Moreover, they, consciously and unconsciously, aided in the development of a national spirit and gave their support in favor of a strong central government. The Irish and the Germans, at least, had struggled for the perfection of na-

tional unity in their former homes and were in sympathy with the similar movement in this country. They were drawn to the United States as the land of the free, but they knew little and cared less about the states. Directly and indirectly they were a great help in developing a national sentiment in the North.

States admitted (1820–1850).

297. The Admission of New States. — In spite of the much more rapid development in the North than in the South, Congress had preserved the balance of the states until 1850. After the struggle over the admission of Missouri (§ 260), no state was admitted for fifteen years. Then Arkansas and Michigan were admitted. Later Texas and Florida were followed by Iowa and Wisconsin. When California was admitted as a free state, the balance was broken, for there was no territory in the South between Texas and California that was well settled. Even in this territory the people were opposed to the system of slavery, for in New Mexico in 1850 the vote was nearly 10 to 1 in favor of asking for admission as a free state. The Northwest, on the contrary, was growing rapidly and in the natural course of events would be divided into free states.

Attitude of the new states toward the national government.

It is interesting to notice that so far in our history, except in the disputes arising over the navigation of the Mississippi River, all of the tendencies toward disunion and most of those favorable to state sovereignty came from the older commonwealths. The reason for this is evident. The old states looked upon the Union as their creation; the new considered the nation their creator. Nearly all of the territory formed into states after 1789 has been at some time under the absolute control of the national government. When these new states were admitted to the Union, the old states apparently had nothing to do with the change. Congress passed the enabling act, Congress imposed conditions, if such there were. The new commonwealths had no local traditions, no revolutionary claim to sovereignty, no institutions productive of either particularism or sectionalism. They favored a strong government for foreign affairs and for

internal improvements, and only in the few matters directly antagonistic to their interests did they disapprove of national authority.

Movement toward emancipation.

298. Early Abolitionists. — Not only were the slave states behind the more progressive free northern commonwealths, but they found that their institution of slavery was threatened by the growth of a new and practically world-wide movement in favor of universal freedom for blacks as well as whites. The abolition movement became prominent in the United States about 1831. Before that time all of the northern states had made provision for the emancipation of their slaves, and a few of the southern states had looked with favor on some form of gradual emancipation. In 1831 William Lloyd Garrison established in Boston his paper called "*The Liberator*" which was thenceforth devoted with unlimited zeal to the cause of negro freedom.

Wilson, *Div. and Reunion*, §§ 60–62.

Hart, *Slavery and Abolition*, 157–183.

Old South Leaflets, No. 78.

WILLIAM LLOYD GARRISON

Progress of the abolition movement.

Unfortunately in the same year there was an insurrection of blacks in Virginia led by a negro, Nat Turner. Before this could be suppressed, over sixty whites, most of them women and children, lost their lives. Severe laws were enacted against the blacks in several states and further consideration of emancipation in the South ceased. Many people, North and South, believed that Turner's insurrection had been produced by the abolitionists, and so great was the feeling aroused against Garrison and his followers that abolition meetings were broken up, speakers were mobbed in almost every northern state, a large amount of property was destroyed, and a few of the more radical leaders, like Lovejoy in Illinois, put to death. The movement grew slowly. In 1833 a national anti-slavery convention was

Schouler, *United States*, IV, 210–216, 296–300.

held, but before 1835 very few people had identified themselves with the abolitionists, although in 1840 they claimed about two hundred thousand members in various abolition societies. Public sentiment changed gradually toward the abolitionists so that after 1840 they suffered comparatively little from mob violence in the North, although they did not control the sentiment of many states except possibly in parts of New England.

Congress's attitude toward abolition.

299. Abolition and Petition (1835–1840). — Since the beginning of the national government petitions had been presented in Congress requesting the abolition of slavery in the District of Columbia. At first the Quakers were the only persons interested, but after 1830 the abolitionists circulated and presented numerous petitions. In 1835 the radical members of the House became engaged in a contest over these petitions which had a very momentous result. After several months of bitter debate, the House adopted a " gag-resolution " by which all anti-slavery petitions were to be laid on the table, with no further action whatever to be taken on them later. The Senate adopted rules which prevented the consideration of similar petitions in much the same manner. Nothing else could have brought before the attention of the people the cause of the abolitionists as had this debate. Instead of reducing the number of petitions, the agitation continued to spread until the House, thinking to rid itself of this question, was persuaded by the southern members to go one step farther. "After 1840 no petitions are to be received by this House or entertained in any way whatever." In short, the House had denied to large numbers of citizens their constitutional right of presenting petitions.[1] In seeking to injure the anti-slavery movement, the radical congressmen had given the abolitionists definite legal grounds for opposing slavery. The pro-slavery leaders had shown that in their opinion they must protect slavery even though they interfered with the rights of other citizens, certainly a fatal mistake.

Burgess, *Middle Period*, 254–273.

Hart, *Slavery and Abolition*, 256–275.

[1] Constitution, Amendment 1.

TOPICS

1. LAND POLICY OF THE UNITED STATES: Hart, "Practical Essays on Government," No. 10; Willoughby, in "Johns Hopkins University Studies," Sato, S., in "Johns Hopkins University Studies," VI, Nos. vii–ix.

2. ANTI-SLAVERY MOVEMENT: Burgess, "Middle Period," pp. 242–277; Hart, "Contemporaries," Nos. 174–184; Von Holst, "Constitutional History of United States," II, pp. 80–139, 219–292; Hart, "Slavery and Abolition," pp. 152–275.

STUDIES

1. Spread of population in the Mississippi valley as affected by geographic conditions. (Semple, "American History and Its Geographic Conditions," pp. 150–177.)

2. Local influences of the Erie canal. (Hulbert, "Great American Canals," II, pp. 152–177.)

3. Government of democracy in America. (De Tocqueville, "Democracy in America," I, pp. 198–238.)

4. "Who reads an American book?" (Hart (ed.), "Contemporaries," III, No. 152.)

5. American poets of the Middle Period. (Trent, "American Literature," pp. 393–460.)

6. An Englishwoman's view of a western town. (Mrs. Trollope, "Domestic Manners of the Americans," I, pp. 61–131.)

7. Removal of the Indians east of the Mississippi. ("The American Nation," XIV, 310 (maps), XV, Chapter X.)

8. People without a Country. (Thorpe, "Constitutional History of the United States," I, pp. 356–399.)

9. Economic character of slavery. (Hart, "Slavery and Abolition," pp. 49–66.)

10. The slave market. (Hart, "Slavery and Abolition," pp. 123–135.)

11. Slavery agitation in Congress. (Benton, "Thirty Years in Senate," I, pp. 576–588, 609–623.)

12. J. Q. Adams on constitutional war powers over slavery. (Johnston (ed.), "American Eloquence," II, pp. 115–122.)

QUESTIONS

1. Compare the internal improvements made by the national government with those undertaken by the states. Was there any difference between the character and extent of the improvements made by the eastern and by the western states?

2. Give a full comparison of the ways of transportation in 1750, 1800, and 1850. What changes or improvements coincided with the close of the first war with Great Britain? the second war with Great Britain? the election of Jackson?

3. Make a table showing in one column the periods of prosperity and business depression since 1815; in a second the wars, movements of population (indicated by new states, etc.), and extension of territory; in a third very important laws or acts of the national government.

4. During the first half of the nineteenth century what changes occurred in the franchise, in popular participation in government, in laws regarding debt, imprisonment for debt and methods of punishment, in civil rights in general?

5. Trace the changes from 1780 to the present in our Indian policy; in our postal service; in our public land system.

6. Compare the United States in 1850 with the United States in 1800. Note area, population, percentages of rural and urban population, occupations, culture, degree of national unity, and changes considered in 2 and 4 above.

PART IV

THE STRUGGLE OVER SLAVERY (1843–1877)

CHAPTER XV

SLAVERY IN THE TERRITORIES (1843–1857)

Slavery and the South.

300. Introduction. — The period between 1843 and 1877 is concerned principally with questions arising out of slavery. This system, which had once been universal in this country, had been superseded gradually in the North by free labor. The reasons for this are topographical, economic, and social. We have noticed already the decay of slavery in the North and the spread of an abolition sentiment throughout that section.[1] In the South, on the other hand, since the invention of the cotton gin (§ 206), there had been a great and constantly increasing demand for slaves, who could be employed profitably on the large cotton plantations.[2] After 1830 the cotton industry developed with especial rapidity, so that long before 1860 it had become the chief occupation of the South, and of value to the whole country, furnishing as it did two-thirds of the exports of the United States.

Influence of cotton.

So important was this industry, so essentially a part of the life of the South, so valuable was cotton in our foreign commerce, that almost every one believed "Cotton was King." Not only did it make slavery more necessary to the South, but, through its demand for slave labor, it helped to uphold that patriarchal plantation system that was the chief characteristic of the Old South. Throughout the

[1] §§ 298, 299.

[2] See Turner, *New West*, 46–50.

southern states there was preserved until the coming of war a life of social pleasures, of large-hearted hospitality, which even cotton could not make commercial. These plantation owners were men of high ideals who opposed democratic innovations and considered manual labor degrading, who had no sympathy with the bustling, energetic, commercial North, and were particularly anxious to protect and extend the institution of slavery.

The nation and slavery.

Naturally the South desired more territory in which new plantations might be started; to which the institution of slavery might be extended. As there was no possibility of reëstablishing slavery in the North, the South turned, of course, to territories south and west of the slave states. The southern leaders desired more than new territory suitable for slavery, for they insisted that slavery must be established and maintained in these lands. The South had not grown as rapidly as the North, so that unless new slave states were added soon to the Union, the political balance between the free and the slave states would be broken forever. But the extension of slavery, in fact even the maintenance of slavery, was at this time threatening the completion of that *national* development which had been the chief result of our history to this time.[1] Although slavery tried to prevent the completion of nationality, in the end the nation conquered and destroyed the institution.

Four periods in the contest between the nation and slavery.

The struggle between these two forces covers four periods: (1) The attempt to acquire more territory and extend slavery to all of the territories controlled by Congress; (2) the attempt to protect slavery by means of secession and civil war; (3) the triumph of the Union over secession; and (4) the reconstruction of the states that attempted to secede. We shall consider in the following chapters these four phases of the slavery contest, which covered a third of a century and assured the future success of the republic.

[1] On the incompatibility of slavery and nationality, consult §§ 330, 331.

Territorial Expansion (1843–1848)

301. Texas before 1843. — Soon after the United States abandoned its claims to Texas in the treaty of 1819 (§ 261), Mexico revolted against the rule of Spain and established her independence. One of the states of the new republic was that of Coahuila-Texas, the eastern part of which, as far as the Nueces River, was called Texas and was settled almost exclusively by immigrants from the United States. These Texans had nothing in common with the Mexicans of the Coahuila part of the double state, but the Mexicans were so much more numerous that they ruled the state. Opposition to Mexican rule culminated in an attempt to gain independence for Texas. This succeeded practically when, in 1836, General Sam Houston defeated at San Jacinto an army much larger than his own under President Santa Anna, capturing the Mexican general and a large force of men. Early the next year the independence of Texas was acknowledged by the United States and by foreign powers.

The settlement and independence of Texas.

Burgess, *Middle Period*, 289–295.

Garrison, *Texas*, 210–227.

From the beginning the Texans had desired annexation to the United States. This was not favored by either Jackson or Van Buren, but was discussed somewhat in Congress and throughout the country. As early as 1836 Calhoun announced in the Senate that he considered the annexation of Texas necessary to preserve that balance between slave and free states which alone would preserve the Union. Others at this time opposed the annexation for exactly the same reason, but it did not become a sectional question until much later.

Proposed annexation.

Burgess, *Middle Period*, 295–302.

302. The Annexation of Texas (1843–1845). — President Tyler desired annexation, but was unable to accomplish anything in this direction until Webster resigned his position as secretary of state in 1843. Plans for a treaty of annexation had been almost completed when Calhoun accepted the portfolio of state in 1844. The Texas treaty was rejected in the Senate by an emphatic vote, probably less because the senators opposed annexation than because they disliked the

Annexation treaty (1844).

Rhodes, *United States*, I, 78–82.

Burgess, *Middle Period*, 302–310.

way the President dictated to them. Some feared also that the annexation of Texas with a claim to the Rio Grande would involve us in war with Mexico.

Election of 1844.

Scarcely had the Senate rejected the Texas treaty when conventions met to nominate candidates for the presidency. The Whigs adopted a short platform in which Texas was not mentioned. They nominated Henry Clay. In the Democratic convention there was a contest between the friends and enemies of Van Buren. His friends had a majority of the delegates, but could not muster the two thirds necessary for the nomination. James K. Polk of Tennessee, formerly speaker of the house, was selected finally. The platform stated that "the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period are great American measures which this convention recommends to the cordial support of the Democracy of the Union." Under the name of the Liberty party, the abolitionists took part in this campaign as in that of 1840. At first Clay emphatically opposed the annexation of Texas on the ground that it would involve us in war with Mexico, but, as the campaign progressed he wrote to a friend in the South that he favored annexation if it could be done "without dishonor, without war, with the common consent of the Union, and upon just and

Schouler, *United States*, IV, 465–480.

Stanwood, *Presidency*, 209–225.

fair terms." This attitude alienated enough of his supporters in New York so that Polk carried that state and the election.[1]

When Congress met in December, 1844, resolutions were introduced for the annexation of Texas by joint action of the houses of Congress. These were adopted and signed by President Tyler, March 1, 1845. Mexico threatened war if Texas accepted the offer to enter the Union, but the state adopted a constitution and was admitted in December of that year.[2]

Texas annexed.

Burgess, *Middle Period*, 320–323.

Garrison, *Texas*, 256–268.

303. Oregon Territory to 1846. — In the campaign of 1844 the desire for territorial expansion had been voiced not simply by the desire to annex Texas, but by the demand for "the whole of Oregon." This was expressed in the campaign motto "54–40 or fight." Since 1818 the Oregon territory from 42° to 54° 40′ had been held jointly by Great Britain and the United States. Spain had surrendered to us her claims to land north of the forty-second parallel in the treaty of 1819. Russia had agreed to remain north of 54° 40′. The question to be settled was therefore the boundary line between British Oregon and American Oregon. This remained in abeyance until 1844.

Joint occupation of Oregon (1818–1846).

Johnston, *Am. Pol. Hist.*, II, 76–78.

Foster, *Amer. Diplomacy*, 302–307.

Schouler, *United States*, IV, 504–511.

American claims to the Oregon country were based upon the discovery of the Columbia River in 1792, the Lewis and Clark explorations in 1804–1806, settlements and trading posts established at the mouth of the Columbia before the second war with England, Spanish claims which had been transferred to us, and actual settlement of the territory by missionaries and others, most of whom went to Oregon after 1835. Great Britain based her claims on the explorations of Vancouver and others before 1800, the acknowledgment of her territorial rights by Spain in 1790, and the many posts established by the Hudson Bay company. In 1844 none

American and British claims.

Johnston, *Am. Pol. Hist.*, II, 73–76.

[1] The vote was 1,337,243 for Polk, 1,288,062 for Clay, and 62,300 for Birney (Liberty party). The electoral vote was 170 for Polk and 105 for Clay.

[2] The United States did not guarantee the Rio Grande boundary nor assume the public debt of Texas exceeding the sum of $10,000,000.

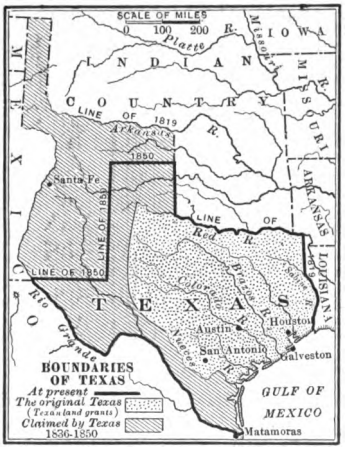
of these claims were of the least value except those based on actual occupation. In that respect England had the advantage if we consider areas, for the Hudson Bay company had been very active in extending its trade. On the other hand the Americans were much truer settlers and had a much more valid claim in the territory which they held.

Oregon treaty (1846).

About 1825 the United States had desired a division of Oregon by extending the line of 49° to the Pacific. Great Britain wished to have the Columbia from its mouth to parallel 49° and then use that line to the Rockies. No agreement was reached and little interest was taken in Oregon by the people of the United States.[1] In 1846 England agreed, however, to a treaty which extended to the Pacific the existing line between Canada and the United States east of the Rockies, 49°.

Foster, *Amer. Diplomacy*, 307–313.

Schouler, *United States*, IV, 511–514.



Hostilities on the Rio Grande.

Burgess, *Middle Period*, 327–331.

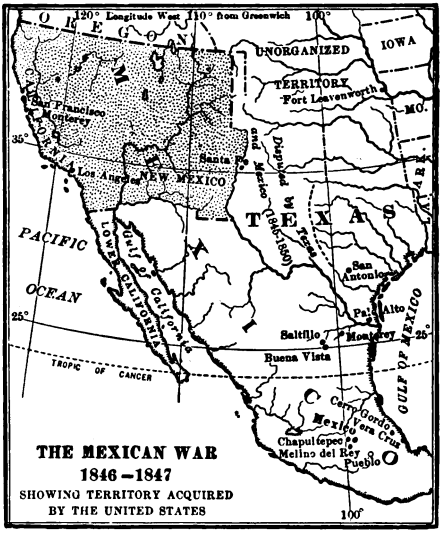
304. War with Mexico (1846–1847). — Before the Oregon treaty had been signed, hostilities with Mexico had begun in April, 1846. The republic of Texas had claimed the Rio Grande as its western boundary, and, although at the time of annexation the United States had not agreed to retain this boundary line, there is no doubt that the people of the nation believed the Rio Grande to be the rightful boundary.

[1] Some suggested that the Rocky mountains formed our natural boundary on the West. Interest in Oregon was renewed after 1840, especially by Marcus Whitman and other settlers who realized its value. England was very anxious to gain a foothold in California and so declined to recede from the line of the Columbia until the intensity of feeling in the United States thoroughly convinced her statesmen that if she did not accept the line of 49° the United States would insist on a still larger share of Oregon.

Moreover the desire among the people to possess on the Pacific coast a territory much greater than that of Oregon made them willing to have the war which Mexico claimed she would wage if we annexed Texas. To be sure, a powerful and active minority, especially in New England, opposed this policy of aggression because it would extend the power of slavery. War began when United States troops under General Zachary Taylor were ordered by President Polk to occupy the disputed territory between the Nueces River and the Rio Grande. The Mexicans ordered Taylor to withdraw. When he failed to do so, they crossed the Rio Grande, but early in May were defeated by Taylor and driven back across the river.

Schouler, *United States*, IV, 521–528.

Hart, *Contemporaries*, IV, Nos. 8–11, 15.



Congress immediately voted men and money for the prosecution of an offensive campaign.[1] Plans were made at length for Taylor to advance into northeastern Mexico and for General Scott to seize the city of Mexico. Taylor had no difficulty in capturing Monterey, the largest city in his route. When he advanced farther into Mexico, he encountered at Buena Vista an army four times as large as his own under Santa Anna, who had again become dictator of Mexico. So stubborn

Taylor and Scott in Mexico.

Burgess, *Middle Period*, 331–334.

[1] Delay was caused by the desire to give the chief command to a Democrat, as both Taylor, known as "Old Rough and Ready," and Winfield Scott, who was nicknamed "Fuss and Feathers," were Whigs.

was the resistance of the Americans that they defeated the enemy with great loss. Santa Anna now returned to the defense of the capital which was threatened by General Winfield Scott. Scott was obliged to capture first the seaport of Vera Cruz which many considered impregnable. Crossing a range of mountains by means of the national road, Scott defeated the Mexicans at every point and came at length in sight of the city. Here he abandoned the road, both sides of which were fortified, and cut his way over lava beds to the rear of the city, where the capture of the fortress at Chapultepec forced Santa Anna to surrender the city.

Garrison, *Westward Extension*, 245–251.

JAMES K. POLK

Contest over California.

305. Conquest of California; Peace. — When the United States became involved in war with Mexico, steps were taken to secure possession of California. For years Great Britain had looked longingly at this region, hoping to gain this territory peaceably by treaty with Mexico or wrest it from her when she was engaged in difficulties with the United States. Our government had offered to buy California in order to avoid such a catastrophe, but Mexico was unwilling to part with her northern possessions to either England or the United States. As soon as news reached the Pacific coast that war had been declared, Captain John C. Frémont seized some of the towns in the interior and Commodores Sloat and Stockton occupied Monterey, the northern capital of California. A bear flag was raised by the people of Sonoma and for a short time the "Bear-Flag Republic" was proclaimed. The conquest of California was completed by the coöperation of the American inhabitants and the United States forces during 1847.

Garrison, *Westward Extension*, 230–239.

Treaty of Guadalupe Hidalgo (1848).

The United States had been making plans for negotiations as early as 1846. The important point with the administration and the public seems to have been the cession of at least part of upper California. The instructions issued when the first envoy was sent in 1847 included the line of the Rio Grande, New Mexico, both Californias, and a right of way across the isthmus of Tehuantepec. As Scott had not captured the city of Mexico at this time, the Mexicans would yield very little and negotiations were broken off. During the months which followed the capture of the Mexican capital public sentiment in the United States changed. President Polk claimed that but for his influence the members of his cabinet would have insisted on the acquisition of all Mexico.[1] The public heard rumors of this, and, not desiring the destruction of Mexico or so great an extension of territory in which slavery might be established, opposed the scheme. The Mexican politicians finally became alarmed and agreed to yield all upper California and New Mexico and acknowledge the Rio Grande boundary for Texas on the payment of a sum of $15,000,000.

Foster, *Amer. Diplomacy*, 317–321.

Burgess, *Middle Period*, 337–339.

Slavery in New Territory (1848–1853)

Contest between the House and Senate.

306. The Wilmot Proviso. — In August of 1846, when the war with Mexico had been in progress three months, President Polk requested Congress to grant him $2,000,000 to be used in negotiating a treaty of peace. It was generally believed that the government wished this money in order to purchase from Mexico a large strip of territory. Wilmot of Pennsylvania therefore proposed in the House of Representatives as an amendment to the appropriation bill that slavery should not be permitted in any territory acquired from Mexico. The bill was passed by the House at once, with the Wilmot proviso, and was sent to the Senate which adjourned for the session without taking a vote on the measure. The next year the House again adopted the Wilmot proviso, but rescinded its action when the Senate

Hart, *Contemporaries*, IV, No. 16.

Burgess, *Middle Period*, 335–337.

Johnston, *Am. Pol. Hist.*, II. 84–87.

[1] Hart, "Contemporaries," IV, No. 14.

refused to concur. The southern members of Congress voted solidly against the proviso in both houses and many northerners opposed it on the ground that agitation of the slavery question at that time would hamper the administration in its prosecution of the war and in concluding peace.

Contest over organizing Oregon Territory.

307. Oregon Territory; Election of 1848. — The question of organizing the Oregon country as a territory with or without slavery was brought up at the same time as the Wilmot proviso (August, 1846), but was not settled until long after. The pro-slavery senators knew that they could not prevent the prohibition of slavery in Oregon, but hoped to gain certain concessions in return for a few necessary votes. A determined attempt was made to extend the Missouri Compromise line (36° 30′) to the Pacific and to connect the question of organizing Oregon territory with the organization of territorial governments in California and New Mexico, so that slavery should be permitted in the latter if forbidden in the former. These attempts failed and the Oregon bill was passed (1848) prohibiting slavery in that territory.

Burgess, *Middle Period*, 340–347.

Presidential election (1848).

In the election of 1848 the question of slavery in the territories was ignored by the Whigs and the Democrats. The Whigs nominated General Zachary Taylor of Louisiana and Millard Fillmore of New York. They adopted no platform whatever. The Democratic nominee was Lewis Cass of Michigan who believed that the question of slavery in the territories should be decided by the voters of each territory for themselves, a view afterward known as "popular sovereignty," or "squatter-sovereignty." Those who favored the principle of the Wilmot proviso united to form a new party, known as the Free Soil party, and nominated ex-President Van Buren, whose reputation added greatly to their strength, so that the party polled over a quarter of a million votes. Taylor carried a majority of the states North and South as well as most of those in the Northeast, obtaining 163 electoral votes to 127 for Cass. In the same election the

Stanwood, *Presidency*, 226–243.

THE UNITED STATES IN 1850
SCALE OF MILES
0 100 200 300 400 500
Key West
BRITISH TERRITORY
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO
OREGON TERRITORY
UNORGANIZED TERRITORY
MINNESOTA TERRITORY
IOWA
MISSOURI
ARKANSAS
TEXAS
NEW MEXICO TERRITORY
UTAH TERRITORY
CALIFORNIA
LOUISIANA
MISSISSIPPI
ALABAMA
GEORGIA
FLORIDA
SOUTH CAROLINA
NORTH CAROLINA
VIRGINIA
KENTUCKY
TENNESSEE
OHIO
INDIANA
ILLINOIS
WISCONSIN
MICHIGAN
NEW YORK
PENNSYLVANIA
NEW JERSEY
MAINE
N.H.
MASS.
CONN.
Walla Walla
Fort Hall
Salt Lake City
Great Salt Lake
Sacramento
San Francisco
Monterey
Los Angeles
Santa Fe
Fort Leavenworth
St. Louis
Milwaukee
Chicago
Detroit
Cleveland
Cincinnati
Louisville
Nashville
Memphis
Vicksburg
Natchez
Mobile
New Orleans
Pensacola
Jacksonville
Savannah
Charleston
Wilmington
Richmond
Washington
Baltimore
Philadelphia
Pittsburg
New York
Boston
Manchester
Portland
Galveston
Austin
San Antonio
Rio Grande
Rio Pecos
Colorado
Arkansas R.
Red R.
Brazos R.
Platte R.
Missouri R.
Yellowstone R.
Snake R.
Columbia R.
Cascade Mts.
Sierra Nevada
Mississippi R.
Tennessee R.
Ohio R.
Lake Erie
Lake Huron
L. Michigan
L. Superior
L. Ontario
St. Lawrence R.
C. Hatteras
Longitude West from Greenwich
BORMAY ENG. CO., N.Y.

Free Soilers elected thirteen congressmen who held the balance of power in the new House of Representatives.

308. California. — In the interval between the election of the thirtieth Congress and its first meeting in December, 1849, great changes had taken place in the territory acquired from Mexico. The discovery of gold in California by John Marshall in January, 1848, had brought to the Golden Gate tens of thousands from all parts of the world. Caravan after caravan of "forty-niners" crossed the plains and the mountains. Many proceeded *via* the Isthmus of Panama and large numbers sailed around Cape Horn. The slave states were represented as well as the free states, but the people of the southern states brought no slaves with them, for California at that time could not have used slave labor.[1]

Settlement and provisional government.

Schouler, *United States*, V, 133–142.

When a constitutional convention was held at Monterey, a constitution was framed by which slavery was prohibited within the state. All delegates to the convention, whether from the North or the South, supported this anti-slavery provision. With this constitution California applied for admission to the Union as a free state, to the dismay of the pro-slavery advocates. Since there were already as many free states as there were slave states, the admission of California would disturb forever the equality between the sections which had existed since the formation of the Constitution. Not only was a large part of California south of the line of 36° 30′, but it was understood that in the territory east of California and south of that line the prevailing sentiment was opposed strongly to slavery. Unless something were done to protect slavery interests it would be only a question of time before the Senate — heretofore the stronghold of the slavery interests — would be controlled by the opponents of

California's application for admission.

Schouler, *United States*, V, 142–146.

[1] As Congress had neglected to pass a territorial act, there was no government in that region other than the provisional one under General Riley, the military commander of California. To President Taylor, who was accustomed to direct methods, it seemed as though California should apply at once for admission to the Union without going through the territorial stage. He accordingly dispatched an agent to the Pacific coast in order to learn whether the population justified this step.

slavery. The admission of California as a free state seemed therefore to the less conservative southerners a menace to their prosperity and development and a sufficient reason for secession from the Union.

Diverse views on political questions.

309. The Elements of a Compromise (1850). — The admission of California with the constitution which she had adopted was recommended by President Taylor to Congress in his message, December, 1849. No action was taken at once, but a number of questions regarding slavery and connected especially with the subject of slavery in the territory ceded by Mexico were discussed at Washington. Among these were the admission of California, the organization of territorial government for the rest of the Mexican cession, the dispute over the boundary between Texas and New Mexico, slavery and the slave trade in the District of Columbia, and the problem of returning fugitive slaves to their masters under the law of 1793. The majority of the people in the North undoubtedly believed that the further extension of slavery should be discouraged, and felt that the United States could not afford to take a backward step by opening to slavery the new lands in the Southwest, in which slavery had been prohibited by Mexican law. A large and active minority in the North desired the exclusion of slavery from all new territory and the abolition of slavery as well as the slave trade in the national capital. Many, South and North, would have preferred to leave the question entirely alone, or, if this were impossible, settle the question in such a way that the Union would be preserved. To Clay it seemed that disunion might be prevented and the slavery question might be settled for all time by combining these measures before Congress and asking both sections to make concessions in a great compromise.[1]

Johnston, *Am. Pol. Hist.*, II, 91–95, 122–123.

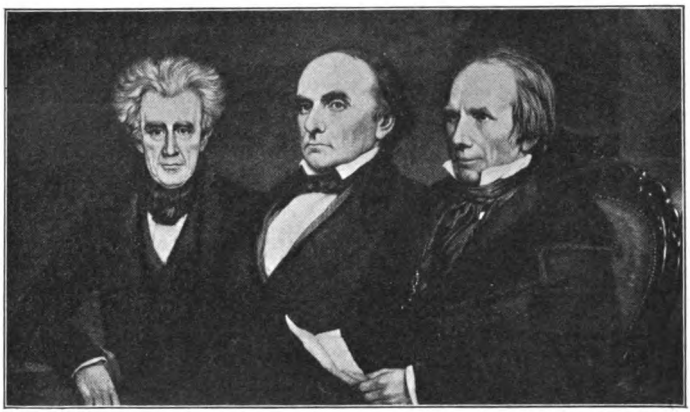
Rhodes, *United States*, I, 104–110, 130–136.

[1] It was Clay's suggestion that California be admitted as a free state, the territories of New Mexico and Utah be organized without restrictions as to slavery, Texas to be asked to relinquish her claims on New Mexico for a money consideration, the slave trade but not slavery be prohibited in the District of Columbia, and a new fugitive slave law be enacted.

310. Discussion of the Compromise. — For six months Congress discussed the measures proposed by Clay. The weightiest speeches were delivered in the Senate where the great triumvirate, Webster, Clay, and Calhoun, still held sway, though about to give way to younger men, of whom Seward, Chase, Douglas, and Sumner were the most prominent. Clay spoke fervently in favor of compromise and pleaded for concessions on each side that would make possible

Senatorial leaders, Clay and Calhoun.

Schurz, *Clay*, II, 331–337.



CALHOUN, WEBSTER, AND CLAY

a permanent settlement of this dreaded question. Calhoun also pleaded for the preservation of the Union, which, in his opinion, had been endangered by the slavery agitation in the North. He asserted that the Union could be preserved only by giving the South a share in the government equal to that of the North. This must be done by the North, for the "South has no compromise to offer but the Constitution, and no concession or surrender to make."

Hart, *Contemporaries*, IV, No. 19.

Rhodes, *United States*, I, 119–130.

In his "Seventh of March speech" Webster claimed that slavery was excluded from California and New Mexico by the law of nature, and urged that no Wilmot proviso should be applied to those sections when it was unnecessary. The parts of the speech which dealt with the abolitionists and

Webster's and Seward's views.

Hart, *Contemporaries*, IV, Nos. 20, 22.

Rhodes, *United States*, I, 162–168.

the fugitive slave law gave great offense to many living at the North, but Webster's earnest plea to support the Constitution and prevent secession undoubtedly gained many supporters for the proposed compromise. The position of those who opposed the extension of slavery was voiced by William H. Seward, senator from New York. He opposed all compromise with slavery and deemed the fugitive slave law "unjust, unconstitutional, and immoral." "The Constitution devotes the domain [*i.e.* the territories] to union, to justice, to defense, to welfare, and to liberty. But there is a higher law than the Constitution, which regulates our authority over the domain, and devotes it to the same noble purposes." [1]

Provisions of the compromise.

Burgess, *Middle Period*, 362–364.

MacDonald, *Documents*, Nos. 80–83.

311. Completion of the Compromise of 1850. — In its final form the compromise of 1850 comprised five separate bills: (1) California was admitted as a free state. (2) New Mexico and Utah were organized as territories, the territorial legislatures being forbidden to restrict slavery. (3) The northwestern boundary of Texas was fixed as at present, a sum of $10,000,000 being paid to the state for relinquishing its claims on New Mexico. (4) A fugitive slave act was passed which provided that a master or his agent could take

[1] In April all resolutions on the questions under discussion were submitted to a committee of thirteen. The committee reported one "omnibus bill" covering all subjects in dispute in the Southwest, and separate bills on the other matters. But nothing was done. President Taylor was not friendly to the compromise, but his death in July led to a reorganization of the cabinet under Fillmore who was largely under the influence of Webster.

a supposed fugitive from the state in which he was residing without a jury trial in that state. It imposed fines on those who interfered with the capture or rendition of fugitive slaves. It compelled all citizens who were summoned to aid in the capture of fugitives to give their assistance, and it provided that the fee received by United States marshals for negroes who were declared to be fugitives should be $10, for others $5. (5) The slave trade was abolished in the District of Columbia.

Direct results.

The radicals of both sections were loud in their complaints that all concession had been made by their side, but the majority of the people were relieved that a settlement was secured which promised to be fairly satisfactory. Conventions were held in the South to consider the question of secession from the Union, but none of these favored separation.

Rhodes, *United States*, I, 189–198.

Election of 1852.

As the majority of the people felt that the question of slavery had been definitely settled by the compromise, the politicians proceeded on that hypothesis by ignoring the subject utterly in campaigns following 1850. To insure the execution of the laws enacted at that time, Franklin Pierce of New Hampshire, a pro-slavery Democrat, was in 1852 elected President over Winfield Scott, the Whig candidate, by a very large majority. The Free Soilers polled a vote little more than half as large as in 1848, for less interest was taken in the topic of slavery in the territories since the status of slavery in all parts of the national domain had been fixed by sacred pledges that were supposed to be irrevocable.

Burgess, *Middle Period*, 375–377.

Fugitives, "personal liberty" laws, and the underground railway.

312. The Fugitive Slave Law. — The execution of the drastic fugitive slave law succeeded in arousing more feeling than the compromise allayed. Thousands of fugitives had settled in different parts of the North and had become useful citizens of those communities. Many of them were now reclaimed by their former masters and carried away to the plantations without an opportunity of proving their freedom. The North was aroused as it never had been before at the sight of seizures made on its soil. State after state passed

Burgess, *Middle Period*, 365–374.

Rhodes, *United States*, I, 209–213, 498–506, II, 73–78.

"personal liberty laws," which forbade state officers to aid in the capture of negroes and prevented citizens from taking part in the return of fugitives. The use of the jails was denied to national officers in charge of runaways. Police officers refused to interfere when negroes were rescued by mobs. Channing says truly, "the execution of the Fugitive Slave law did more to arouse the moral sentiment of the northerners than the arguments of the abolitionists had done in twenty years." In many northern states there were established complete routes from the South to Canada, over which fugitives might escape by hiding in the daytime and traveling at night to the next house on the route. These were called "underground railways."

Loss to the South.

Even if there had been very great need of so severe a measure, the passage of this act would have been a serious blunder. But when it is understood that only the border states lost many slaves and that less than one thirtieth of one per cent of the slaves attempted to obtain their freedom in any one year, we realize the magnitude of the mistake. The feeling of the North was intensified by the publication in 1852 of Harriet Beecher Stowe's book, "Uncle Tom's Cabin," which was read by every one and was accepted as a true picture of slavery.

Cuba. Ostend Manifesto.

Foster, *Am. Diplomacy*, 326–329, 342–347.

MacDonald, *Documents*, No. 89.

313. **Attempts to gain More Slave Territory.**—Not only did the pro-slavery leaders wish to extend the limits of slave territory still further, but many expansionists who had favored the acquisition of California and New Mexico desired the extension of our boundaries on the south, especially by annexing the island of Cuba. During Polk's administration we offered $100,000,000 for Cuba. A few years later slavery sympathizers joined in filibustering expeditions to Cuba which accomplished nothing except to involve the United States in difficulties with Spain. France and Great Britain opposed any attempt to transfer Cuba from Spain to the United States and tried to persuade us to join them in a treaty which would have guaranteed to Spain permanent control of the island. In 1854 the Ostend Mani-

festo, which was issued by our ministers to Great Britain, France, and Spain, announced the position held by a large number of Americans that we would be justified in seizing Cuba without the consent of Spain if "Cuba in the possession of Spain seriously endangers our internal peace and the existence of our cherished Union." On the eve of the Civil War other offers were made for Cuba, and since that time many persons have desired the annexation of the island.

Smith, *Parties and Slavery*, 82–88.

During this period filibustering expeditions went out from the United States to Mexico and Central America as well as Cuba. The most famous of these was that of Walker which gained control of Nicaragua for a time, only to be driven from the country by the inhabitants. Except in the case of expeditions to Cuba, none of these attempts received the support of a large percentage of the people in the United States.

Central America.

Schouler, *United States*, V, 341, 364, 400, 416.

Smith, *Parties and Slavery*, 88–93, 251–259.

Slavery in Old Territory (1854–1857)

314. The Kansas-Nebraska Bill (1854). — When it became necessary to organize territories in the region north of the Missouri Compromise line, and lying between the Missouri River and the Rocky mountains, the question of slavery in the territories was again reopened. It would seem as though this subject had been settled by the provision of the Compromise of 1820 which "forever prohibited" slavery within this territory, especially as that was but one of three provisions in a compromise, the other two of which could not now be altered. In the debate, however, it became clear at once that some congressmen believed or pretended to believe that the principle of "popular sovereignty" which had been adopted in the Compromise of 1850 for the territories in the Southwest should be applied to all national territory. This was the view taken by Stephen A. Douglas, Democratic senator from Illinois and chairman of the Senate committee on territories. He reported a bill for organizing a single territory in the country purchased from France north of the line of 36° 30′ with "popular sovereignty,"

The original Nebraska bill.

MacDonald, *Documents*, No. 85.

Hart, *Contemporaries*, IV, No. 34.

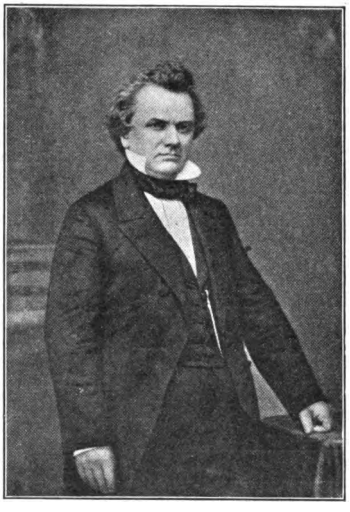
Burgess, *Middle Period*, 381–387.

Amer. Hist. Leaflets, No. 17, 1–8.

because, he said, the Compromise of 1850 had replaced the Compromise of 1820.

Criticism of the Kansas-Nebraska bill.

Douglas's claim regarding the effect of the Compromise of 1850 on that of 1820 was denied emphatically by a large number of senators, and his argument that the territories should decide the question of slavery for themselves was held up to ridicule. Chase of Ohio asserted that there was no more reason for giving this territory home rule regarding slavery than in any other respect and demanded that it be governed as Congress saw fit. Chase and other free soil Democrats protested vigorously in the public press against the Nebraska bill as a "gross violation of a sacred pledge, as a criminal betrayal of precious rights, as a part and parcel of an atrocious plot to exclude from a vast, unoccupied region immigrants from the old world and free laborers from our own states, and convert it into a dreary region of despotism inhabited by masters and slaves." Throughout the North, while the bill was before Congress, the press and the public expressed themselves in no uncertain way, a large number of public meetings being held to denounce the measure. Several legislatures also petitioned against the repeal of the Missouri Compromise.



STEPHEN A. DOUGLAS

Smith, *Parties and Slavery*, 98–108.

Rhodes, *United States*, I, 441–444, 448–452, 463–468.

Amer. Hist. Leaflets, No. 17, 9–18.

Vote on the bill.

315. Passage of the Kansas-Nebraska Act (1854). — These demonstrations and demands had considerable influence, for, although the bill was passed by a large majority in the Senate and by a vote of 113 to 100 in the House, not

a single northern member in either house aside from the Democrats voted for the bill. Northern sentiment is shown further by the fact that only 7 of the 42 members of the House from that section who voted for the bill were re-elected in the fall of 1854.

Burgess, *Middle Period*, 398–399.

The original Nebraska bill had been modified early in the discussion, and it was passed finally in this form. There were to be two territories: one, Kansas, extending from 37° to 40° and the other, Nebraska, from 40° to 49°. The act of 1820 which prohibited slavery in these territories was expressly repealed and the people were left free to permit or exclude slavery not only when the states should be admitted to the Union, but while they were territories as well. It seems to have been the belief that by creating two territories, one would be left open to slavery while the other was devoted to freedom.

Provisions of the act.

MacDonald, *Documents*, No. 88.

KANSAS AND NEBRASKA (1854)

As a pro-slavery measure the Kansas-Nebraska Act was a very serious blunder, because the repeal of the Missouri Compromise Act aroused the North as even the Fugitive Slave law had not done. It led to an organization of the anti-slavery extension forces into a single political party. This would have been accomplished many years later but for the repeal of the Missouri Compromise, a pledge which, in the opinion of the North, Congress had no right to alter. The direct results of the act were (1) the organization of a large political party, made up at first of what were known as anti-Nebraska men, who controlled the North from this time, and (2) the contest, little better than civil war,

Results of the act.

which was waged in Kansas for the control of that territory.

Republican party.

Hart, *Contemporaries*, IV, No. 35.

Rhodes, *United States*, II, 45–49.

Smith, *Parties and Slavery*, 109–114, 118–120.

316. Reorganization of Political Parties. — When the Kansas-Nebraska Bill was passed, the times were ripe for great changes in the political parties. In the election of 1852 the Whigs had been badly demoralized. The party had been split on the slavery question into two factions, neither of which could maintain more than the shadow of an opposition to the now triumphant Democratic party, so that it required only a new issue to produce another party. This issue the Kansas-Nebraska Act provided, for it gave all anti-Nebraska men a chance to unite in opposition to slavery extension. All of the Free Soilers and most of the Whigs of the North joined this new party, which was known after 1855 by the name Republican, and large numbers of free-soil Democrats became members of the same organization.

Know-nothing party.

Rhodes, *United States*, II, 50–56.

Johnston, *Am. Pol. Hist.*, II, 258–265.

Smith, *Parties and Slavery*, 114–120, 145–148.

Most of the southern Whigs and large numbers of the voters in the North who opposed any discussion of slavery threw in their lot with the new American party, the members of which were called "Know-nothings" because their affairs were conducted after the manner of secret societies and outsiders were not informed of their doings. The original American party had been organized in order to keep from political power the foreigners who had come to the United States in such numbers after 1845 (§ 296). After 1854 the Know-nothing party was composed principally of those who were unwilling to take sides on the question of slavery. In 1855 they carried several states.

Election of 1856.

Smith, *Parties and Slavery*, 161–173.

Stanwood, *Presidency*, Chapter XX.

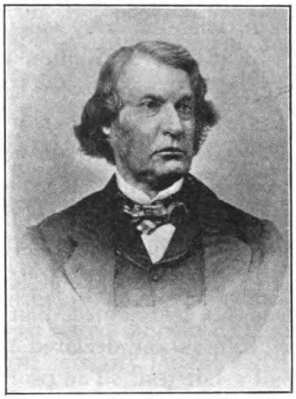
The election of 1856 was a test of strength between the old Democratic party and the new Republican party, as the Know-nothings, even with Millard Fillmore as their candidate, carried only one state. The Democrats declared their belief in the principles of the Compromise of 1850 and the Kansas-Nebraska Act, and nominated James Buchanan of Pennsylvania, who had been our minister to Great Britain and therefore had no record on the Kansas question. The Republicans declared that Congress had no

authority to permit slavery in any territory and denounced the administration for its attitude toward Kansas. Contrary to the custom of those days they selected both candidates from free states, John C. Frémont of California being nominated for the presidency. The Republicans carried all but four states of the North, but, as three of these were large, Buchanan had 174 electoral votes to 114 for Frémont.

317. **The Struggle for Kansas** (1855–1861). — Since the fate of Kansas was to be settled on the principle of "popular sovereignty," neither side hesitated long in its attempt to gain the state. An emigration society was formed in New England, by which thousands of "free state" men were sent to the territory by way of Iowa. Some pro-slavery men became actual settlers of the disputed region, but slave owners were unwilling to take their slaves to a region which they knew was little adapted to slavery and in which slavery might prove to be a complete failure. As it cost a slaveholder six times as much to establish his home in Kansas as it did a free state man, the population was predominantly anti-slavery from the beginning.

Emigration to Kansas.

Burgess, *Middle Period*, 407–417.



CHARLES SUMNER

Hart, *Contemporaries*, IV, Nos. 36–38.

When the first territorial legislature was chosen in March, 1855, Kansas was invaded by thousands of Missourians who claimed that they had the same right to vote as free state men sent out by emigrant societies. The free state settlers then took things into their own hands by adopting a constitution and electing a free state legislature.[1] From

Political and civil war in Kansas (1855).

Hart, *Contemporaries*, IV, No. 39.

[1] During this political struggle, Charles Sumner delivered his famous speech on "the crime against Kansas" in which he criticised in scathing language several senators, notably Butler of South Carolina. Butler's

Smith, *Parties and Slavery*, 121–135.

this time the partisans of the two sides came to blows. Lawrence was sacked by the pro-slavery forces and in retaliation five men were killed on Pottawattamie creek by John Brown and his followers. Bands of armed men roamed over the eastern part of Kansas, destroying crops and houses. About two hundred persons lost their lives in the civil war which gave to the territory the name of "bleeding Kansas." These outrages continued until they threatened to affect seriously the presidential election of 1856, when the army was used to restore order.

The Lecompton constitution (1857).

In 1857 a convention was held under the direction of the original pro-slavery legislature at Lecompton. A constitution based on that of Missouri was drawn up and the people were allowed to vote on it, with slavery or without slavery. The free state men, who now controlled the legislature, refrained from voting, so that the constitution was adopted with slavery. Buchanan's administration advocated the admission of Kansas with this constitution, but Douglas maintained that there had not been fair play in Kansas and declared that popular sovereignty had not had a fair test. The people were allowed to vote again on the Lecompton constitution, which they rejected by an overwhelming majority. From this time the free state men, who comprised four fifths of the settlers, controlled the territorial government and in 1861 Kansas was admitted to the Union as a free state.

Facts of the case.

318. The Case of Dred Scott (1857).—Just three days after the inauguration of Buchanan the Supreme Court of the United States rendered its decision in the case of Dred Scott. Scott was a negro who had been taken by his master in 1836 to what was afterward Minnesota, a part of the territory from which slavery had been "forever prohibited" by the Missouri Compromise of 1820. He had been brought

Burgess, *Middle Period*, 449–452.

nephew, representative Brooks, attacked Sumner in the Senate chamber, striking him repeatedly over the head. Brooks resigned from the House, but was elected again by his constituents. The feeling aroused in the North by this brutal attack was intense.

back to Missouri in 1838 and afterward decided to sue for his freedom. He was about this time sold to a citizen of New York, a Mr. Sandford. Scott immediately began suit in the circuit court of the United States,[1] which decided against Scott. The case was then appealed to the Supreme Court of the United States, whose decision was awaited with great interest in the hope that it might settle the controversy over slavery in the territories.

Decision and opinions.

The court decided that Scott was not a citizen and could not sue in the courts. In supporting this position the chief justice, Taney, made the statement that at the time the Constitution was adopted negroes were not citizens, and unfortunately added that at that time negroes had no rights which white men were bound to respect. The court decided also that the case must be dismissed as the court had no jurisdiction over it. Unwisely the chief justice and a number of his associates believed that this was a favorable time to give their opinions on the question of slavery in the territories and thereby settle that problem for all time. In a most elaborate argument the chief justice stated that the general government had acquired Louisiana territory for the states, that it must protect in that territory all possessions that were legally property in any of the states, and that therefore Congress could not prohibit slavery in any territory acquired after the adoption of the Constitution in 1787. On this account the law of 1820, a part of the Missouri Compromise, which prohibited slavery in the territory acquired from France north of 36° 30′, was "null and void from the beginning." The influence of this opinion was widespread, for it was very different from the views held by most of the North and contrary to the wishes of the very large number of people who opposed the further extension of slavery (p. 320).

MacDonald, *Documents*, No. 91.

Hart, *Contemporaries*, IV, No. 41–43

Burgess, *Middle Period*, 452–459.

Amer. Hist., Leaflets, No. 23.

319. Summary. — The period from 1843 to 1848 was one of rapid territorial expansion. At the earlier date our western boundary was virtually the Rocky mountains at

Territorial expansion (1843–1848).

[1] By virtue of clause in United States Constitution giving national courts jurisdiction of cases between citizens of different states.

BRITISH TERRITORY
OREGON
(Occupied Jointly by Great Britain and the United States.)
UNORGANIZED TERRITORY
IOWA TER.
Slavery Prohibited by Congress (1820)
WISCONSIN TER. (1787) (1790)
L. Superior
L. Michigan
L. Huron
L. Erie
Ontario
MICH.
Detroit
NEW YORK
MAINE
Portland
Boston
PENN.
OHIO
Cincinnati
Philadelphia
ILL.
IND.
Chicago
Louisville
VIRGINIA
Richmond
MISSOURI
KENTUCKY
TENNESSEE
Memphis
NORTH CAROLINA
SOUTH CAROLINA
Charleston
Savannah
GEORGIA
ARKANSAS
MISS.
ALA.
LA.
Mobile
New Orleans
FLORIDA TER.
IND. TER.
Santa Fe
San Antonio
Monterey
MEXICO
TEXAS
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
FREE AND SLAVE AREAS (1844)
127° 117° 107° 97° 87° 77° 67°
40° 30°
117° 107° Longitude West 97° from Greenwich 87° 77°

BRITISH TERRITORY
WASHINGTON TER.
Opened to Slavery by the Dred Scott Decision 1854
OREGON TER.
NEBRASKA TER.
Opened to Slavery by the Kansas-Nebraska Bill 1854
MINNESOTA TER.
Opened to Slavery by the Dred Scott Decision 1854
L. Superior
L. Michigan
L. Huron
L. Erie
Ontario
MICH.
Detroit
NEW YORK
MAINE
Portland
Boston
PENN.
Philadelphia
OHIO
Cincinnati
IOWA
Chicago
ILL.
IND.
UTAH TER.
Slavery Permitted by the Compromise of 1850
KANSAS TER.
MISSOURI
St. Louis
Louisville
VIRGINIA
Richmond
KENTUCKY
TENNESSEE
Memphis
NORTH CAROLINA
SOUTH CAROLINA
Charleston
Savannah
GEORGIA
ARKANSAS
MISS.
ALA.
LA.
Mobile
New Orleans
FLORIDA
IND. TER.
Santa Fe
NEW MEXICO TER.
San Antonio
TEXAS
MEXICO
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
FREE AND SLAVE AREAS (1857)
127° 117° 107° 97° 87° 77° 67°
40° 30°
117° 107° Longitude West 97° from Greenwich 87° 77°
BORMAY ENG. CO., N.Y.
Free States
Slave States
Free Territories
Slave Territories

the north and a river about three hundred miles west of the Mississippi at the south, although we occupied Oregon with Great Britain. Most of the people in the United States desired an extension of our territory to the Pacific Ocean, and the return of good times aroused a new spirit of enterprise throughout the nation. The opposition to expansion in the Southwest came almost exclusively from those who did not favor the extension of slavery. Naturally the pro-slavery leaders, who saw that the slave states were growing less rapidly than those of the North, took the initiative by securing (1845) the annexation of Texas. Disputes over the western boundary of Texas led to the war by which we wrested from Mexico the territory from the Rio Grande to the Pacific. At the same time Oregon was divided. By 1848 our title had been made clear to the entire Pacific coast from parallel 32 to parallel 49.

Struggle over slavery in the territories.

The contest over slavery in the territories of the nation may be divided into three parts. (1) The contest over the new territories. This was decided by organizing Oregon as a free territory, by admitting California as a free state, and by forbidding the legislatures of New Mexico and Utah to prohibit slavery. The good results of the Compromise of 1850, in which the last two questions were settled, were nullified by the enactment of an unwise fugitive slave law. (2) The repeal of the Missouri Compromise so far as it applied to the territory between the Missouri River and the Rocky Mountains. This opened to slavery two territories in which it had been prohibited, led to a bitter struggle for Kansas, and caused the majority of the voters in the North to unite in a new party, the Republican, in order to oppose the further extension of slavery. (3) The opening of all territories to slavery. This was the natural conclusion of the opinion rendered by the justices of the Supreme Court in the case of Dred Scott. It completed the final though temporary triumph of the faction that was protecting the interests of slavery.

TOPICS

1. FUGITIVE SLAVE LAW: Hart (ed.), "Contemporaries," IV, Nos. 29–33; Rhodes, "United States since 1850," I, pp. 192–227, 498–506, II, pp. 73–78; Wilson, "Rise and Fall of Slave Power," II, pp. 291–337, 352–395, 435–461; Sites and Keener, "Growth of the Nation," pp. 295–310, 331–343.

2. KANSAS-NEBRASKA ACT: Burgess, "Middle Period," pp. 380–406; Johnston (Woodburn), "American Orations," III, pp. 3–89; Rhodes, "United States since 1850," I, pp. 424–506; Von Holst, "Constitutional History," IV, pp. 280–461.

3. STRUGGLE FOR KANSAS: Smith, "Parties and Slavery," pp. 121–135, 149–160, 209–222; Greeley, "American Conflict," I, pp. 224–251; Von Holst, "Constitutional History," V, pp. 70–76, 134–185, 284–313; Wilson, "Rise and Fall of Slave Power," II, pp. 462–477, 496–507, 534–565; Spring, "Kansas," pp. 24–267.

STUDIES

1. Marcus Whitman's ride to Oregon. (Bourne, "Essays in Historical Criticism," pp. 3–99.)

2. The "Pathfinder of the Rocky Mountains." (Appleton's "Cyclopedia of American Biography," under Frémont, John C.)

3. Earliest debate over the Wilmot Proviso. (Benton (ed.), "Debates of Congress," XIV, pp. 643–651.)

4. The Barn Burners. (Hammond, "Political History of New York," II.)

5. Benton's view of the Compromise of 1850. (Benton, "Thirty Years," II, pp. 742–769.)

6. Attitude of the United States toward Cuba. (Latané, "Diplomatic Relations with Spanish America," pp. 89–137.)

7. Douglas on the Kansas-Nebraska bill. (Johnston (ed.), "American Eloquence," III, pp. 50–87.)

8. Beginnings of the Republican party. (Macy, "Political Parties (1846–1860).")

9. Effect of the Dred Scott opinion on the North. (Nicolay and Hay, "Life of Lincoln," II, Chapter IV.)

10. Kossuth in Boston. ("Old South Leaflets," No. 111.)

QUESTIONS

1. What were the advantages and disadvantages of annexing Texas? What was the influence of annexation on sectional sentiment within the United States? on our relations with Mexico? What obligations did we assume with Texas?

2. What was the purpose of the Mexican War as shown (*a*) by the attitude of northern capitalists? (*b*) by that of the northern people in general? (*c*) by the plan of campaign? and (*d*) by the treaty of peace?

3. Make a table showing the action of Congress regarding slavery in the territories from 1787 to 1862. Compare areas closed or left open to slavery. What changes occurred during the period from 1843 to 1857?

4. Was a compromise necessary in 1850? Which provisions were favorable to the North? which to the South? Did the Compromise of 1850 introduce any new principle of territorial government?

5. Make a careful study of the "Seventh of March" speech. Had Webster changed his position on the slavery question? Were his criticisms of the northern radicals justified? From our point of view was he right or wrong?

6. Has Congress the right to pass irrepealable laws? May Congress repeal part of a compromise when the repeal of the rest is impossible? Could a state in which slavery had been forever prohibited by Congress become a slave state? Why was the Kansas-Nebraska Act a serious mistake?

7. Which was more in conformity with our customs and our institutions, popular sovereignty or territorial government by Congress? What was the difference between the provisions for slavery in the territories in the acts of 1850 and 1854?

8. Compare the arguments of Taney and Curtis regarding negro citizenship. Which was right? Do you approve Taney's argument in regard to the relation of the nation to the territory acquired from France in 1803?

CHAPTER XVI

DISUNION AND CIVIL WAR (1857–1861)

PRESIDENTS

James Buchanan (1857–1861) Abraham Lincoln (1861–1865)

APPROACHING A CRISIS (1857–1860)

Buchanan.

Rhodes, *United States*, II, 172–174.

320. The Situation in 1857. — It is unfortunate that at this time the presidential chair was occupied by a man as little fitted to prevent disunion as was James Buchanan. A mild, courteous gentleman who disliked controversy, he was utterly incapable of acting with decision and vigor to prevent a conflict between the opposing sections, and in fact by his vacillation aided in the development of the slavery crisis.

Influence of the Dred Scott opinion.

The chasm between the North and the South which had been growing wider year by year, especially since the enactment of the Kansas-Nebraska law, had been increased to a very great extent by the opinion of the justices of the Supreme Court in the case of Dred Scott. The South was content naturally, not realizing that the adoption of so radical a pro-slavery policy by the courts would react against the institution of slavery not simply in the territories, but in the states as well. The majority of the people in the North were aghast at the conclusion reached in the opinion. Most of them opposed the further extension of slavery in the territories, and were exceedingly indignant over the announcement of the new doctrine that Congress could not prohibit slavery in national territory. People did not stop to consider that this was simply the opinion of justices of the court and not a part of the court's decision. The justices had made clear, they claimed, that a negro had no rights which

a white man was bound to respect. It was evident that the justices of the Supreme Court, in seeking to settle the question of slavery in the territories, had precipitated the controversy over slavery.

The increase of sectionalism in the years following 1845 is marked not only by the drift in politics, but by the changes in churches and other national organizations. The Methodists and Baptists had divided on sectional lines soon after 1845. Fewer southern men attended northern colleges than formerly. In social life and even in business sectional prejudices made themselves felt.

Increase of sectionalism.

321. Political Factions and Parties. — It may be interesting to notice at this time the sentiments of the existing factions in the United States. (1) In the North there was a small but exceedingly active group of reformers which demanded the total abolition of slavery everywhere. To these men the Constitution under which the institution was protected within the states was "a covenant with death, and an agreement with hell." (2) Less radical than the abolitionists but more interested in the restriction of slavery than in any other question was a faction whose attitude may be expressed by the phrase, "let the Union slide." (3) An overwhelming majority at the North believed that slavery was morally wrong and desired to see it excluded from the territories of the nation, although they were not willing to sacrifice the nation to that end. (4) A large minority at the North were opposed to any active discussion of the slavery question and were indifferent probably to its extension in or exclusion from national territories. They were, however, emphatically opposed to any interference with slavery in the states.

Factions in the North.

To the South the preservation of slavery in the states was a matter of vital importance, that of slavery extension in the territories one of the greatest interest. Seeing that the South was falling behind the North in population, wealth, and resources of every kind, southerners felt that slavery should be protected by the equality of the sections. (1) At

Factions in the South.

Smith, *Parties and Slavery*, 292–304.

first only a few leaders like Calhoun realized the need of territorial extension. By 1850 this aggressive pro-slavery faction began to demand that one half of the nation should be set aside for slavery. Later they increased their numbers so as to include most of those in the South who were interested in the political future of that section. Their program developed until they demanded that slavery be excluded from those states only where it was prohibited by the wish of the people of the state. (2) Another faction in the South was indifferent to the extension of slavery, provided that the slaves in the states were left alone. (3) Still a third faction, composed of some merchants and of those mountaineers who owned no slaves, had nothing in common with the slave interests. They possessed little political influence. One of their number, Hinton Helper, published in 1857 a book called the "Impending Crisis" which showed how the South was controlled by three hundred and fifty thousand slave-owners and how slavery had retarded the development of the South. This book was written in a sensational style and created a *furore* in political circles little less than that made by "Uncle Tom's Cabin."

Lincoln.

322. The Lincoln-Douglas Debates (1858). — One of the most interesting elections in our history was that held in 1858 in the state of Illinois. Members of the legislature were elected who were to choose a successor to Senator Douglas. Both parties selected their senatorial candidates long before the election, the Democrats renominating Douglas and the Republicans naming Abraham Lincoln. Lincoln was little known at this time outside of the central part of Illinois where he enjoyed an excellent reputation as a lawyer of rare honesty and ability. Born in Kentucky, (1809) to the heritage of the "poor white trash," he had grown up in Indiana and later in Illinois, with a determination to acquire an education. His experience as rail-splitter and flatboat-man, as well as his study at night by a pine-knot fire, are well known. Lincoln had served several terms in the Illinois legislature, and had spent two years in Wash-

ington as a representative. Very tall and exceedingly ungainly in appearance, Lincoln did not attract at first until one was impressed by his earnestness and the kindness of his homely face, or was won by his never failing humor.

Joint senatorial debates.

During the summer of 1858 Lincoln and Douglas held a series of joint debates. By far the most notable of these was held at Freeport, where Lincoln asked Douglas four questions,[1] the answers to which prevented Douglas from gaining the support of the southern Democracy in the presidential election two years later. Lincoln forced Douglas to choose between his favorite doctrine of popular sovereignty and the opinion expressed by the justices of the Supreme Court in the case of Dred Scott. Douglas tried to reconcile the two by saying that slavery could not exist in any territory if the people did not make local police regulations for its support, and therefore popular sovereignty would decide whether the territory should have slavery or not. Lincoln showed that slavery could exist without these local regulations, and that popular sovereignty and the Dred Scott opinion were incompatible. The South agreed with Lincoln and abandoned Douglas, although the people of Illinois by a narrow margin reëlected Douglas senator.

Rhodes, *United States*, II, 321–339.

323. Union and Slavery. — At the beginning of the senatorial campaign Lincoln had made a speech which, in the opinion of many politicians, jeopardized his chances of election. It was a speech worthy of the man, and now classed with the famous speeches of our history. "'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved — I do not expect the house to fall — but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it and

Lincoln's "House-divided" speech.

Hart, *Contemporaries*, IV, No. 44.

Rhodes, *United States*, II, 315–318.

[1] One question was: "Can the people of a United States territory, under the Dred Scott decision, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits, prior to the formation of a state constitution?"

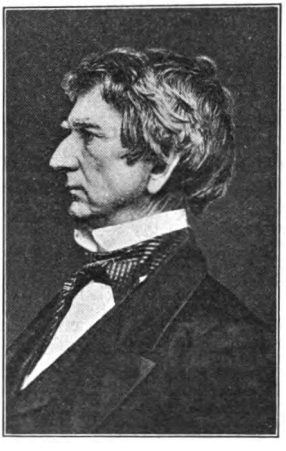
place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the states, old as well as new, North as well as South." This was a statement of the nation's future which no mere politician would have had the foresight or the courage to announce.

Seward's "Irrepressible conflict" speech.

Hart, *Contemporaries*, IV, No. 45.

Rhodes, *United States*, II, 344–346.

In the fall of the same year in which Lincoln made this prophecy William H. Seward, the most conspicuous man of the Republican party, startled the nation by proclaiming a similar opinion. He stated: "Our country is a theater which exhibits, in full operation, two radically different political systems: the one resting on the basis of servile or slave labor, the other on the basis of voluntary labor of freemen. . . . The two systems are at once perceived to be incongruous. But they are more than incongruous, they are incompatible. They never have permanently existed together in one country, and they never can. . . . These antagonistic systems are continually coming into closer contact, and collision results. They who think that it is accidental, unnecessary, the work of interested or fanatical agitators, and therefore ephemeral, mistake the case altogether. *It is an irrepressible conflict between opposing and enduring forces*, and it means that the United States must and will, sooner or later, become either entirely a slave-holding nation, or entirely a free-labor nation."



WILLIAM H. SEWARD

Influence on southern sentiment.

324. Influence of John Brown's Raid (1859). — Public utterances frequently fix public sentiment, but definite acts make history. The Fugitive Slave law and the repeal

of the Missouri Compromise had united the North against the further extension of slavery, the John Brown raid united the South for the protection of slavery. Before 1859 the South was in no real sense committed to the radical program of its pro-slavery leaders; after that date it identified itself much more closely with the institution of slavery than before. It may seem remarkable that the attack of twenty men on the United States arsenal at Harpers Ferry could have such a potent influence, especially when the attack ended in the capture of Brown and his followers. But the South was impressed by the fact that Brown had collected arms near Harpers Ferry and had planned to free the slaves. That he desired the freedom of all the slaves in the South is certain, and he believed this could be accomplished only by force of arms. This would involve necessarily a servile insurrection which was the nightmare of all classes in the South, slaveholders and others. The danger of such a calamity was enough to unite all southern factions, and to give the impression that the North would stop at no means to destroy slavery. This impression was strengthened by the enthusiasm with which John Brown's attempt was received in many parts of the North. The Republican leaders were very careful, however, to disavow any connection with the affair and to condemn the methods used.

Burgess, *Civil War*, I, 34–44.

Rhodes, *United States*, II, 410–416.

Chadwick, *Causes of Civil War*, 67–89.

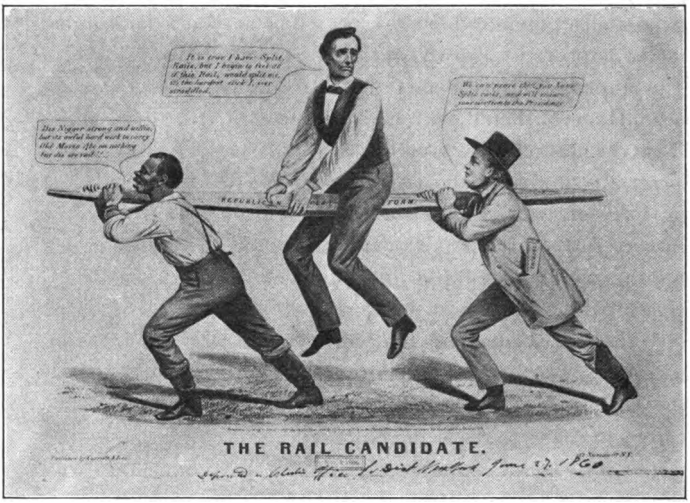
325. **The Election of 1860.** — The decisive factor in the election of 1860 was the attitude of the Democratic party. This party had a majority of voters in the South and a large minority of those in the North. If they coöperated, success seemed certain. If they were divided on the question of slavery, the Republicans might win. The Democratic convention was held at Charleston, April 23. The southern delegates contended for a platform declaring that not only should the Dred Scott opinion be enforced, but Congress must protect slavery in the territories by every means in its power. They were outvoted, for the northern Democrats succeeded in adopting a plank which stated that the party would "abide by the decisions of the Supreme Court

Democratic convention.

Schouler, *United States*, V, 454–457, 462

Burgess, *Civil War*, I, 50–58, 67–70.

of the United States on the questions of constitutional law." Most of the southern delegates then withdrew and two Democratic conventions were held later. That comprised chiefly of northern delegates nominated Douglas, while the southern men adopted the platform which they preferred, and named John C. Breckenridge of Kentucky for the presidency. Remnants of the Whig party and conservatives



A CARTOON OF 1860.

of all parties united under the name "Constitutional Union," and nominated Bell of Tennessee.

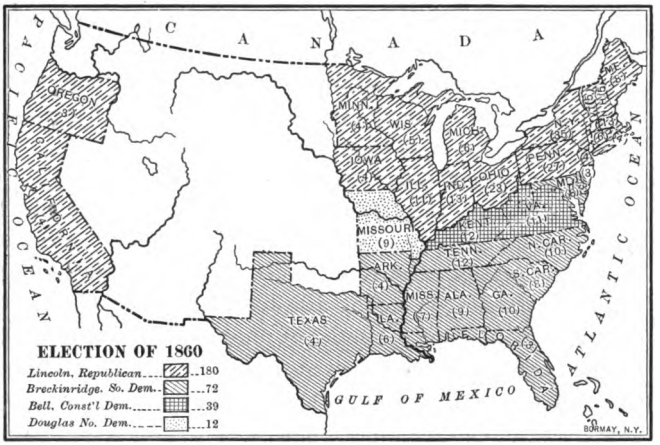
Republican convention.

Burgess, *Civil War*, I, 58–67.

Chadwick, *Causes of Civil War*, 116–123.

The Republicans met in Chicago in May. As the party was composed of numerous elements united chiefly by their desire to prevent the further extension of slavery, the delegates agreed without difficulty on a plank that denied "the authority of Congress, of a territorial legislature, or of any individual to give legal existence to slavery in any territory of the United States." But they maintained especially the right of each state to order and control its own domestic institutions according to its own judgment exclusively. They denounced Buchanan's Kansas policy, and favored

a protective tariff. Because the party was composed of various elements with different opinions on many questions except the main issue, the convention ignored the more radical candidates, William H. Seward, the real leader of the party, and Salmon P. Chase. On the third ballot Lincoln was selected, and, to satisfy the East, Hannibal Hamlin of Maine was chosen for the second place on the ticket.



The campaign was full of interest and excitement. When the polls were closed, it was found that Lincoln had carried all of the northern states,[1] that Breckenridge had been successful in the South, and Bell had secured the vote of three border states. This gave Lincoln 180 of the 303 electoral votes, the others being divided as follows, Breckenridge, 72; Bell, 39; and Douglas, 12. On the popular vote, however, the combined votes of the other three were nearly one million more than those cast for Lincoln.

The election.

Stanwood, *Presidency*, 295–297.

Schouler, *United States*, V, 462–469.

The Secession Movement (1860–1861)

326. Secession in South Carolina (December, 1860). — When it was learned that Lincoln had been elected, the legis-

Action before Dec. 20.

[1] Except three of the seven votes of New Jersey.

Schouler, *United States*, V, 469–471.

Rhodes, *United States*, III, 115–125, 192–196.

Hart, *Contemporaries*, IV, No. 59.

lature of South Carolina called an election for members of a convention which should meet December 17 and consider the relations between the state and the Union.[1] There was no doubt in the mind of any one in South Carolina that this result would be secession. In October, when all indications pointed to a Republican victory, the governor of South Carolina had sent to most of the other southern governors a letter asking their coöperation. The United States senators from South Carolina and most of the national officials in the state resigned as soon as the convention was called and every preparation was made to sever connections with the Union. Nevertheless the act of the convention on December 20 was a shock to the people of the nation.

Secession resolutions.

Rhodes, *United States*, III, 196–207.

Larned (ed.), *Hist. for Ready Ref.*, 3407–3409.

Amer. Hist. Leaflets, No. 12.

In her secession ordinance the state repealed the act of 1788 by which she had ratified the Constitution of the United States and declared that "the union now subsisting between South Carolina and other states under the name of 'the United States of America' is hereby dissolved." A few days later the convention adopted a series of resolutions giving reasons for their action. They reviewed the course of events during the formative years from 1775 to 1789 to prove that the state was sovereign and the Constitution a compact. They maintained that the North had, by personal liberty laws, nullified a law of the Union (the Fugitive Slave Act) and that the election of a Republican president threatened the institution of slavery. The arguments of South Carolina probably did not influence the action in the rest of the slave states, but similar causes led to the calling of conventions in the other states of the South.

Buchanan's message.

Burgess, *Civil War*, I, 82–88.

327. Attempted Conciliation (December–January). — Until South Carolina had passed an ordinance of secession, the North was indifferent, the administration inactive. General Scott, as commander of the army, had urged during November that the forts in the states of the South be strengthened, but Buchanan did nothing. As he could not ignore

[1] The legislature had been in session to choose presidential electors. This method had given way to popular election in all of the other states.

in his annual message (December 3) the threatened destruction of the Union, he considered the subject in a most extraordinary way. He declared that no state had any right to secede from the Union, but asserted that if a state saw fit to secede, neither the president nor Congress could prevent her from doing so or could bring her back into the Union. Buchanan denounced the anti-slavery agitation in the North as the cause of the whole trouble and recommended constitutional amendments protecting slavery in the states and in the territories.

Rhodes, *United States*, III, 125, 131–138.

During the month following this message the President's attitude toward the South changed considerably. Most of the members of his cabinet who favored secession resigned, and their places were taken by ardent Union men. The administration even went so far as to send provisions and troops to Fort Sumter in Charleston harbor, but the relief ship was fired upon and turned back, January 9, 1861.

Change in Buchanan's policy.

Schouler, *United States*, V, 481–485.

Larned (ed.), *Ready Ref.*, 3411–3412.

In Congress committees were appointed by each house early in December to suggest means for preventing disunion. The southern leaders wished to have irrepealable constitutional amendments that would prevent Congress from interfering with slavery in the states or in the territories. The northern leaders were willing to agree that slavery in the states should be free forever from interference, but they refused their consent to slavery at any time in any part of the territories. Other attempts to reach a compromise satisfactory to both sides were made in Congress and out of Congress during the last two months of Buchanan's term (§ 329).

Attempted compromise in Congress.

Schouler, *United States*, V, 504–507.

Hart, *Contemporaries*, IV; Nos. 63, 65, 66, 68, 69.

328. The Confederate States of America. — When the southern leaders saw that the northern members in Congress would not give the terms they desired, they advocated the secession of the other states. Georgia, Alabama, Mississippi, and Louisiana seceded during January, believing that they could dictate terms if they severed their connection with the Union. There was opposition in these states to secession, especially in Georgia, where Alexander H. Stephens

Secession of the Gulf states.

Hart, *Contemporaries*, IV, Nos. 58, 61.

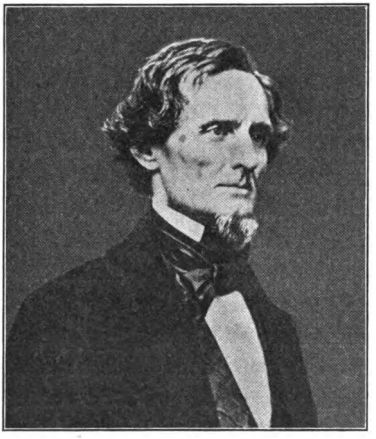
Rhodes, *United States*, III, 271–279.

Chadwick, *Civil War*, 140–150.

pleaded against disunion. In none of them was the secession ordinance submitted to the people for ratification, although the result would have been the same probably in any case.

Formation and provisions of the constitution.

On the 4th of February, 1861, delegates from these five seceded states and Texas met at Montgomery, Alabama, and drew up a constitution for the Confederate States of America. This constitution was in most respects a copy of the national Constitution of 1787. Several important defects or omissions of that document were remedied, and some changes made in the interest of state sovereignty or slavery. Each state was said to act "in its sovereign and independent character." Congress did not have power to give bounties or lay protective duties, but exports might be taxed by a two thirds vote of each house. The president was chosen for a term of six years, but was not reëligible. The Confederate States might acquire new territory in which slavery was to be "recognized and protected," but no new state should be admitted to the Confederacy except by a two thirds vote of both houses of Congress, the senate voting by states. There were fewer limitations on the states than in the Constitution of the United States.



JEFFERSON DAVIS

Burgess, *Civil War*, I, 116–119.

MacDonald, *Documents*, No. 97.

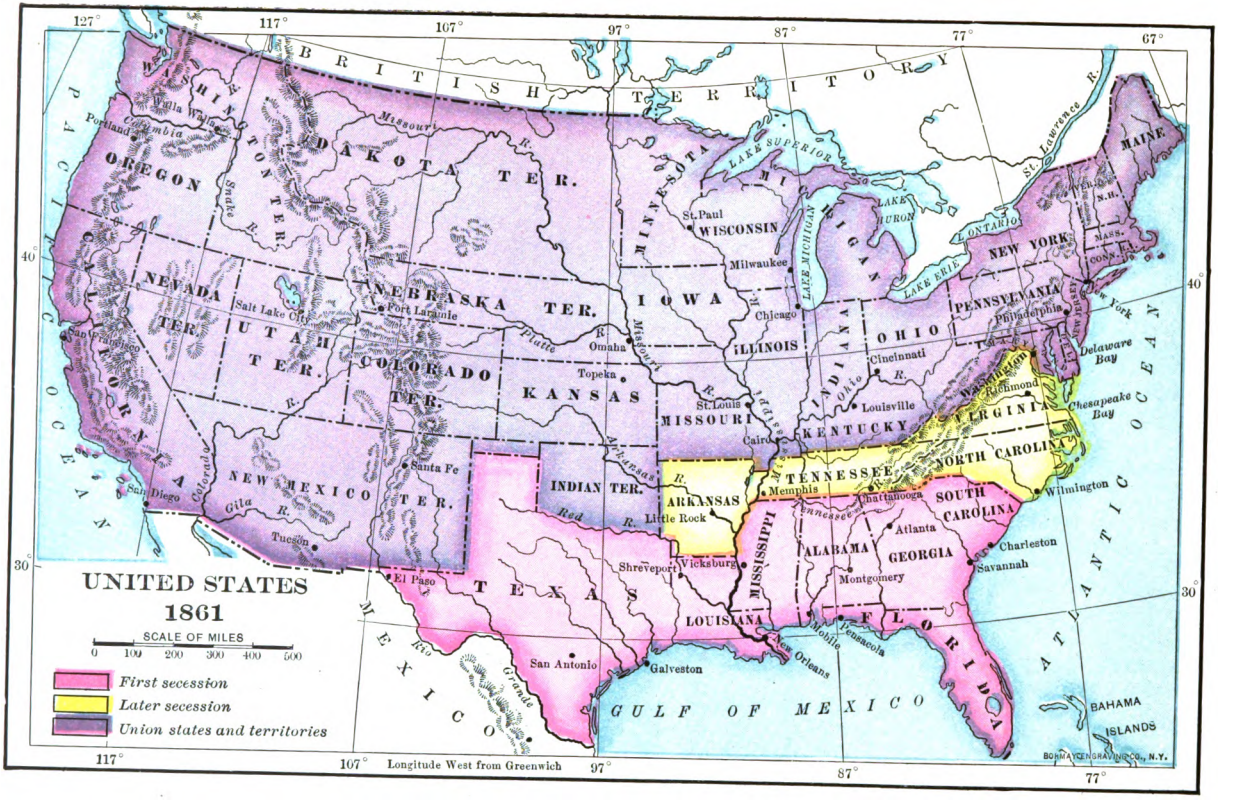
Hart, *Contemporaries*, IV, No. 62.

Battles and Leaders, I, 99–110.

President Davis.

The government, organized provisionally in 1861 and permanently in 1862, included Jefferson Davis of Mississippi as president, and Stephens of Georgia as vice president. Davis was a man of extended and varied experience in public life, as he had served in the army, in Congress, and in

Burgess, *Civil War*, I, 119–123.


UNITED STATES
1861
SCALE OF MILES
0 100 200 300 400 500
First secession
Later secession
Union states and territories
BRITISH TERRITORY
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO
BAHAMA ISLANDS
Longitude West from Greenwich
127°
117°
107°
97°
87°
77°
67°
40°
30°
WASHINGTON
Walla Walla
Portland
Columbia R.
OREGON
CALIFORNIA
San Francisco
San Diego
NEVADA TER.
UTAH TER.
Salt Lake City
Snake R.
IDAHO TER.
DAKOTA TER.
Missouri R.
NEBRASKA TER.
Fort Laramie
Platte R.
COLORADO TER.
Colorado R.
NEW MEXICO TER.
Santa Fe
Gila R.
Tucson
El Paso
KANSAS
Topeka
Omaha
Missouri R.
INDIAN TER.
Arkansas R.
Red R.
TEXAS
San Antonio
Galveston
Rio Grande
MINNESOTA
St. Paul
WISCONSIN
Milwaukee
IOWA
Chicago
ILLINOIS
MISSOURI
St. Louis
Cairo
ARKANSAS
Little Rock
Shreveport
Vicksburg
LOUISIANA
New Orleans
MISSISSIPPI
Memphis
TENNESSEE
Chattanooga
Tennessee R.
ALABAMA
Montgomery
Mobile
Pensacola
FLORIDA
GEORGIA
Atlanta
Savannah
Charleston
SOUTH CAROLINA
Wilmington
NORTH CAROLINA
VIRGINIA
Richmond
Washington
Chesapeake Bay
Delaware Bay
New York
NEW JERSEY
Philadelphia
PENNSYLVANIA
NEW YORK
VER.
N.H.
MAINE
MASS.
CONN.
R.I.
St. Lawrence R.
LAKE SUPERIOR
LAKE MICHIGAN
LAKE HURON
LAKE ERIE
LAKE ONTARIO
MICHIGAN
INDIANA
Ohio R.
Cincinnati
Louisville
KENTUCKY
OHIO
Mississippi R.
Longitude West from Greenwich
BORMAYCENGRAVING CO., N.Y.

Pierce's cabinet. Although more radical in his views than Stephens, he was not considered an extremist, and administered well the duties of his trying position, although to the satisfaction of very few.

Rhodes, *United States*, III, 292–295.

329. Close of Buchanan's Term. — The states in the Confederacy seized the property of the national government which was located within their borders, including numerous arsenals and forts. None of these arsenals manufactured arms — they were simply depots; but large numbers of muskets and a fair quantity of military supplies had been transferred to southern forts or arsenals by Buchanan's secretary of war, perhaps in anticipation of hostilities between the North and the South. The Confederate government selected commissioners to visit Washington and make a treaty of friendship with the United States (February, 1861).

Confederacy and the United States.

Chadwick, *Causes of Civil War*, 184–204.

Meanwhile, the discussion of compromise measures continued at Washington. The Senate still considered the Crittenden resolutions which had been proposed originally December 18. They favored irrepealable amendments to the Constitution for the extension of the line of 36° 30′, all territories north of that line being free and all south, slave; the admission of states as free or slave as they decided; and the compensation of slave owners for all fugitives not returned to them. During February there was held in Washington a peace conference attended by delegates from two thirds of the states. By a narrow margin the convention voted in favor of the 36° 30′ line for all existing territories, the admission of states with the constitutions they selected, no interference by Congress with slavery in the states, and no treaty for annexing territory unless approved by a majority of the senators from the slave states and a majority of those from free states. The House of Representatives also devised a plan for conciliation, one feature of which was accepted by the Senate, the only part of any compromise plan approved by both houses of Congress. This provided that Congress should never interfere with or abolish slavery

Crittenden resolutions. Peace conference, etc.

Burgess, *Civil War*, I, 96–104, 124–135.

Rhodes, *United States*, III, 150–156, 305–308.

MacDonald, *Documents*, Nos. 93, 95, 96.

within the states. The adjournment of Congress, March 4, closed these discussions.

Futility of conciliation.

Certain moderate men, especially in the border states, had made every possible effort to preserve the Union and maintain peace. But it was too late for compromise. The leaders opposed to slavery extension would make no concessions permitting slavery permanently in the territories. The pro-slavery leaders would not yield because they believed that the system of slavery would lose in the end unless they gained every demand from the North.

Two causes.

330. **Fundamental Causes of Secession.** — The secession movement was not the work of discontented leaders, it was the clash between sections which were radically different and wished to retain and develop their own characteristics. To put it briefly, there were two fundamental causes of secession: one, the system of *slavery;* the other, the doctrine of *state sovereignty*. It was the combination of these two that made secession possible.

Development of new industrial methods (1775–1861).

In the eighty years and more since the United States had become independent, great changes had taken place within this country and in the world at large. (1) Methods of labor had changed radically. The new industrial system required skilled labor, intelligent service — in short, the freedom of the workingman. (2) An entirely different set of causes favored the emancipation of those who had been serfs or slaves. Chief of these was the great development of the idea of democracy, which had been growing stronger everywhere among civilized nations, but particularly in the United States. (3) This rapid progress toward industrial freedom and political equality was but part of a much larger movement which had replaced the old order of things with a new commercial and industrial system much more complex than the old and a new social order in which many class distinctions had been obliterated.

Slavery prevents development of the South.

These changes had affected the North very much more than the South. Since the Revolutionary War, the political ideas and ideals of the South had not changed greatly.

Her occupations and business methods were not very different, her social system was practically the same as in 1776. Amid the wonderful changes of nearly a century of marvelous progress she had made comparatively little material progress on account of slavery. Slavery prevented the competition of free labor, yet slaves could not perform any labor except that of the crudest kind. With a system of slavery, democracy, political or social, could not exist.

Slavery demands an equal share in the government.

331. Slavery and State Sovereignty *versus* Nationality. — So closely identified had the South become with the institution of slavery that she felt it necessary to preserve that institution at all costs. To protect and preserve it she had sought new territories. But as slavery could not compete with a system of free labor on equal terms, it required artificial props to protect it in the old territory and in the new from being overwhelmed by the much stronger system of free labor. The South demanded therefore that the North allow her to have an *equal* share in the government of the United States. But to do this meant the permanent maintenance of two sections, totally unlike and antagonistic. When we consider that the United States had, during the half century following the second war with Great Britain, been growing into a great and powerful *nation*, we can realize that *permanent sectionalization* would prevent the further development of nationality.

Antagonism between slavery and the nation.

There were but two alternatives. (1) Either the nation must remain partly developed, or (2) it must complete the development of its nationality by securing a uniform economic, political, and social system; in short, it must abandon slavery or make slavery universal within its borders. Lincoln, Seward, and others had seen this clearly, although the mass of the people did not. As the system of free labor had been growing rapidly, while that of slavery had not, the only hope for slavery was to oppose the growth of nationality. This she could do most effectively by appealing to the political principle that the states are sovereign. State sovereignty had been the chief obstacle in the upward path of the nation,

Why slavery joined forces with state sovereignty.

and it was natural that when the development of the nation threatened slavery the institution of slavery should join forces with state sovereignty. But state sovereignty, like slavery, belonged to the old order of things, to a past that would never return, and even their union was unable to cope with the young, strong forces of free labor and what Calhoun called, ten years earlier, "a great consolidated national democracy."

Lincoln; "The Three Months' War"

Inauguration.

Rhodes, *United States*, III, 316–319.

Morse, *Lincoln*, I, 212–228.

Amer. Hist. Leaflets, No. 18.

332. Lincoln's Policy. — On the 4th of March, 1861, Lincoln was inaugurated quietly at Washington. There had been fear that Lincoln's life would be threatened during his trip to Washington or on inauguration day, but nothing serious happened, for every precaution had been taken to prevent an outbreak. The inaugural address must always be ranked among his greatest state papers. He disproved at the beginning that his election was sufficient cause for secession by declaring that he would not interfere with slavery in the states, that he would not oppose a constitutional amendment which prevented the central government from interfering with slavery as a state institution. He asserted that there could be no right of legal secession, for the Union was older than the Constitution. Having announced his intention of enforcing the national laws in all of the states, as prescribed in his oath, he went on, "in your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you. You can have no conflict without being yourselves the aggressors."

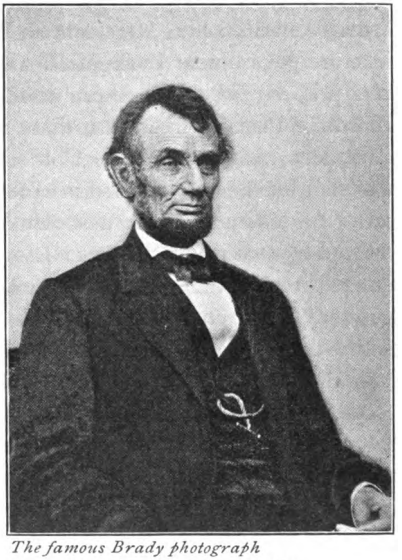
Lincoln's cabinet.

Larned (ed.), *Ready Ref.*, 3420.

Lincoln was fortunate in being able to gather in his cabinet many of the prominent Republican leaders, for if at first the cabinet lacked unity, it gained for the administration the support of all elements in the North. The secretary of state was William H. Seward, who considered himself the head of the party and sought to dictate the policy of the administration. He was anxious to subordinate

sectional questions to an aggressive foreign policy, but this unwise plan, which would have involved the government in difficulties abroad without lessening its burdens at home, was ignored completely by Lincoln. Seward afterward exhibited a very high quality of statesmanship, and during the eight years he served in the department of state, proved that he was second only to Lincoln among the men of his time. Other notable cabinet officials were Salmon P. Chase, who was secretary of the treasury until 1864, and Edwin M. Stanton, a member of Buchanan's cabinet after it was reorganized, who had the war portfolio after 1862. Upon these three men devolved the chief duties that affected the success of the Union cause. Yet great as were the services performed by these men and others of Lincoln's assistants, the policy followed was in the main that of the chief executive. With added experiences and increasing responsibilities, Lincoln acquired a skill in handling men, a soundness of judgment in dealing with difficult problems, and a firmness in carrying through a policy which he believed to be right, that marked him as the greatest American of the nineteenth century.

Morse, *Lincoln*, I, 234–238.



The famous Brady photograph
ABRAHAM LINCOLN

333. Sumter. — From the beginning Charleston harbor, with its Union force of little more than one hundred men, had been considered the crucial point in the South. Major Anderson, before New Year's, 1861, had withdrawn all the

Negotiations.

Hart, *Contemporaries*, IV, Nos. 70–72.

Burgess, *Civil War*, I, 151–171.

men from the forts around the harbor, and concentrated his force in Fort Sumter in the center of the harbor. The attempt made on January 9 to send additional soldiers and supplies in the *Star of the West* had caused the South Carolina forces to fire upon the vessel, and had produced a strong sentiment against disunion throughout the North. Commissioners had been sent to treat with Buchanan in order to gain possession of Sumter, but without avail. Later, commissioners were sent to Washington by the Confederate government to negotiate all matters affecting debts and property in the southern states. Both Buchanan and Lincoln refused to treat with these men, for to do so would have been recognition of the Confederacy; but certain notes were left for them by Seward in order that they might understand the attitude of the new administration. From these informal proceedings the officials of South Carolina gained the impression that no attempt would be made to relieve Sumter. In fact Lincoln promised only that he would notify them of a relief expedition. This was fitted out in New York, April 7. Governor Pickens of South Carolina was notified immediately. After two days' consideration of the matter the Confederate government asked for the surrender of Sumter, and, when it was refused, began bombarding the fort, April 12. On the afternoon of the 13th, his ammunition and supplies gone, and the fort on fire, Anderson surrendered and his men were sent North.

Attempted relief, bombardment.

Union forces (Apr., 1861).

Burgess, *Civil War*, I, 172–174, 178–179.

Rhodes, *United States*, III, 351–364.

334. Preparation for War. — The news of the firing upon Sumter aroused the North from its lethargy. When Lincoln, on April 15, asked for 75,000 militiamen to serve for three months,[1] the response throughout the free states was enthusiastic. In the slave states, however, the governors refused to furnish troops. Within forty-eight hours from the first call, regiments which had been organized already by the "war governors" were on their way to Washington. In Baltimore, on April 19, the troops were attacked by mobs, but further disorder was prevented

[1] Under the act of 1795.

by transporting the soldiers over another route. The regular army was demoralized by the withdrawal of nearly one half of the officers, who were southerners, but even at this time the military force of the United States was larger and better organized than that of the Confederacy. There was no attempt to organize a large, permanent army, for very few people expected a long or a serious conflict.

Hart, *Contemporaries*, IV, No. 105.

In March the Confederate Congress had authorized the enlistment of one hundred thousand troops, but although that number of recruits offered their services, there were not enough arms or military supplies for them. The Confederacy had also tried to prepare a navy, but their difficulties were increased by the lack of any naval vessels and failure of many southern naval officers to leave the service of the United States. On April 17 the fitting out of privateers to prey upon the commerce of the North was authorized. This action was followed at once by Lincoln's proclamation blockading southern ports (§ 340).

Confederate army and privateers.

Rhodes, *United States*, III, 320–322, 395–396.

Larned (ed.), *Ready Ref.*, 3426–3428.

Lincoln's original call for troops was followed, May 4, by a request for 40,000 volunteers besides regulars and seamen to serve for three years or the war. Legally he had no right to organize this army, but he was supported in this and other ways by the Congress which met in special session, July 4. Congress voted $250,000,000 for the prosecution of the war and immediately after the battle of Bull Run (§ 336) voted 500,000 volunteers.

Permanently organized force.

Burgess, *Civil War*, I, 226–232.

335. **The Border States.** — Between the Confederacy as it existed on the 12th of April and the free states there were two rows of slave states that were still in the Union. The attitude of these border states was a matter of the first importance. If all joined the Confederacy, the two sections would be not far from equal in strength. If all remained in the Union, the early downfall of the Confederacy was assured. When Lincoln issued his call for troops on April 15, the governors in most of these states refused to send troops. Jackson of Missouri went farther than most of the others, and declared, "Your requisition in my judgment is illegal,

Second secession.

Burgess, *Civil War*, I, 177, 182–186.

Rhodes, *United States*, III, 383–387.

unconstitutional, and revolutionary in its object, inhuman and diabolical and cannot be complied with." Several of the states immediately took a vote on secession. In the four states of the lower tier, Virginia, North Carolina, Tennessee, and Arkansas, an overwhelming majority favored separation from the United States. All of these states, of course, joined the Confederacy.

Delaware, Maryland, and western Virginia.

In the northern tier of the slave states the question was not put to a vote, or was decided against secession. Delaware unhesitatingly sided with the Union. In Maryland, the southern sympathizers were exceedingly active, although in a hopeless minority. The presence of the troops who were protecting Washington, and the arbitrary suppression of disunion efforts by the administration and by the state officials, made the secession of the state impossible. The people of western Virginia were not slaveholders, and objected to being thrust out of the Union. They claimed, therefore, to represent the true state and remained in the Union. Afterward, in 1863, without regard to the requirements of the national Constitution,[1] West Virginia was admitted as a separate state.

Burgess, *Civil War*, I, 196–205.

Rhodes, *United States*, III, 388–390.

Kentucky and Missouri.

Kentucky voted to remain neutral, but found it impossible to do so. In the fall of 1861, when a Confederate force invaded this state, it came out positively on the Union side. Missouri was the battleground in which a political and a military contest was waged for the possession of the state. The Union men, organized by Blair and commanded by Captain Lyon, gained possession of St. Louis and secured control of the state government, deposing the governor, who favored secession. Several battles were fought in Missouri during the fall of 1861, but the Confederate forces were driven finally from the state and the Union victories made permanent by the battle of Pea Ridge in northwestern Arkansas (February, 1862).

Rhodes, *United States*, III, 391–394.

Burgess, *Civil War*, I, 186–195.

Situation in Virginia (July, 1861).

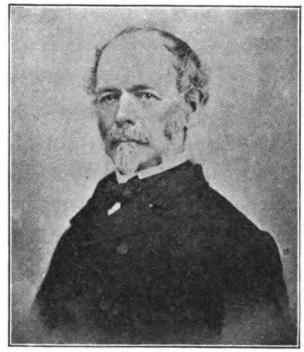
336. Bull Run. — In Virginia there were three armies on each side, one threatening and one defending Washington,

[1] Article IV.

two in the Shenandoah valley, and two contending for western Virginia. In the mountains of the western part of the state the Confederates, under Robert E. Lee, were driven back by George B. McClellan and Rosecrans. In eastern Virginia it was decided to advance from Washington and atttack the Confederate force under Beauregard. This army was stationed at Manassas Junction, where the railway from near Washington to southern and southwestern Virginia met the branch line from the Shenandoah valley, a point valuable for either side, but especially for the Confederates. Patterson, the Union general in the Shenandoah valley, was ordered to engage his opponent, Joseph E. Johnston, while McDowell advanced against Beauregard.

Larned (ed.), *Ready Ref.*, 3433–3434.

Rhodes, *United States*, III, 442–446.



JOSEPH E. JOHNSTON

The armies of McDowell and Beauregard met at Bull Run, a short distance from Manassas, and fought well for raw troops. Beauregard was forced back until reënforced by fresh troops brought by rail from the Shenandoah by Johnston. What seemed to be a Union victory became a rout, which turned into a mad scramble to reach Washington. The Confederate force was too badly disorganized to follow and was in fact ready to disband, thinking the war was over. Stung by defeat, the North awakened to the fact that the reduction of the South was not a three months' task; that it would require a herculean struggle, to which the North must give unsparingly of her resources. As we have noticed, 500,000 volunteers were voted by Congress the next day, and under the direction of that splendid drill master, McClellan, and other commanders, armies were created that would understand the art of war.

Battle of Bull Run and results.

Dodge, *Civil War*, 16–19.

Rhodes, *United States*, III, 446–452.

Conditions affecting Union Success

Disparity in strength.

Hart, *Essays on Am. Gov't*, 268–275.

Chadwick, *Causes of Civil War*, 21–36.

337. Resources of North and South. — Before considering the real campaigns which followed these military preliminaries it will be well to compare the contestants and consider those conditions which affected the final result. We have noticed already how much more rapidly the North had grown than the South, not alone in population but in wealth, general resources, and diversity of industries. In none of these respects were the eleven seceding states a match for the twenty-three states that remained in the Union. Their white population was less than five and one-half millions, that of the loyal states nearly twenty-two millions. This disparity of about 4 to 1[1] may be taken as a fairly true measure of the relative strength of the two parties in other respects than population, for the Confederacy did not have more than twenty per cent of the wealth or commerce of the North, and her industrial output amounted to less than one tenth of that of the loyal states.

Dependence of the South.

Hart, *Contemporaries*, IV, No. 106.

The South had large natural resources, but they were undeveloped. She had not attempted to manufacture what she needed, for she had exported almost everything she produced to Europe or to the North, and purchased usually from the North even many necessities of life. At the beginning of the war, she did not have enough factories to supply her people with clothing and shoes. There were no powder plants, no factories for making cannon or small arms, no shipyards. Rolling mills and iron foundries were uncommon. Railways were not particularly plentiful at the South, but they had been equipped with northern rails and supplied with northern locomotives and cars. In short the South was entirely dependent on the outside world, to which she had given her cotton and other products for the articles she needed.[2]

[1] Not counting slaves.

[2] At this time, however, the exports of cotton comprised about two thirds of the total exports of the entire United States.

Independence of the North.

The North possessed an abundance of all of these things. Her factories turned out all the munitions and supplies that she needed. Her farms produced more food than both the soldiers and the workers at home could use. Industry and commerce, instead of being absorbed by the war, were stimulated by it. The strength of the system of free labor increased as the need became greater.

Southern milltary policy.

338. **The Southern Armies.** — With a white population but one fourth that of the North, the South was not able to put as many men in the field. Even in the early part of the war, when southern enthusiasm was greatest, and all desired to present a "stern front to the invader," or, as Davis said, "fight on northern soil," the southern force was only about two thirds that of the North. During the last year of the war it was reduced to less than one half the number of soldiers in the Union ranks. Many from the loyal border states joined Confederate armies, but their number was only a little greater than that of the Union soldiers from east Tennessee and western Virginia. As the northern armies penetrated southern territory, the aid given to the Confederate commanders by the people was of inestimable value. The South was fortunate in most of her commanders, although President Davis interfered constantly by dictating the plan of campaign to be followed.

Cf. Rhodes, *United States*, V, 431–447.

Different branches of the southern service.

The South excelled in cavalry except during the last year, and the men who had been accustomed to ride even to their nearest neighbors made the finest cavalrymen in the world. Her artillery and engineering corps were especially inferior to those on the Union side. Her infantry possessed a spirit which went far toward making them excellent soldiers. When they charged, giving their terrible "rebel yell," there was need for the greatest courage among the Union troops. So excellent was her secret service, and so lax the northern methods, that the Union plans were always known and their movements anticipated.

339. **The Northern Armies.** — To defeat a people so united, so earnest, possessing the advantage of fighting on their

Northern soldiers and enlistments.

own soil, able to move troops from one point to another as each in turn was threatened, required the greatest determination and the highest courage, both of which the Union troops possessed in marked degree. Although the preponderance of numbers on the Union side counted in the end, in most contests the forces were not far from equal.[1] In the North the soldiers did many things, such as driving teams and building earthworks, which were performed by slaves in the South. The Union armies were recruited to a much larger extent by voluntary enlistment, encouraged by national bounties of $300 and supplemented by state and local bounties. The South had no money for this purpose and resorted to drafts early in the war, toward the end permitting young boys and old men to enlist. The North was obliged to draft more than once. During July, 1863, the attempt to obtain soldiers by that means led in New York City to terrible draft riots in which nearly a thousand negroes and whites lost their lives.

Caring for the troops.

It took the North longer to discover her best leaders, but toward the close of the war the northern commanders outgeneraled their opponents in almost every contest. During the early part of the war the northern armies were hampered by interference from Lincoln and his advisers. The northern soldiers were supplied much better than those of the South with ammunition, arms, food, and clothing. At first it was difficult to obtain these articles, as the war department was not able at once to handle so many supplies; but during the last two years of the war the government purchased food and blankets on the principle that it was cheaper to provide new blankets for the men who had discarded them on the march than to hamper the movements of the armies or permit the soldiers to suffer.

Rhodes, *United States*, V, 214–227.

Government and contractors.

This policy was extravagant and led to a great amount of fraud. Large fortunes were made out of government contracts. Men who furnished transports for Union

[1] This was not true in the battles of Virginia in which the skill of Lee counterbalanced the greater number of the northern soldiers.

troops usually doubled their wealth in a few months. Although the government paid a high price for uniforms and blankets, many of them were made of "shoddy," which fell to pieces on slight provocation. The army food, of none too good a quality in the days before canned goods were common, was often inferior stuff on which a good profit was made. Yet few wars have been fought on so large a scale, with so little preparation, in which the soldiers were treated better.

Sanitary Commission.

The loss of life from wounds and disease was much smaller than in earlier wars, partly because of the efficient service performed by a well-organized body called the Sanitary Commission. The northern troops were much more fortunate than those of the South, among whom anæsthetics and other drugs were rare, because the North insisted that they must be considered contraband of war.

Privateering.

340. The Navies; The Blockade. — The American navy was small and scattered in 1861. Only three ships were in northern ports, none in those of the South. Since the South realized that it could not get a regular navy, it issued letters of marque and reprisal to privateers and allowed these vessels to prey upon the merchant ships that carried the American flag. As our merchant marine had developed until our ships were found on every ocean this promised to strike a serious blow at the North.

Cambridge Mod. Hist., VII, 565–567.

Establishing a blockade.

In retaliation Lincoln proclaimed a blockade of the entire southern coast, between 3000 and 4000 miles long, and closed his proclamation by declaring that those engaged in privateering would be treated as pirates. Vessels were purchased to maintain the blockade and in a few months there were only a few ports in the South that could be reached even by the swift "blockade runners." These steamers usually plied between British ports, the Bermudas or Nassau in the Bahamas, or Havana, and Jacksonville, Savannah, Charleston, and Wilmington. Most of these ports were closed completely early in the war and blockade running became extremely hazardous. Many engaged in the traffic,

Cambridge Mod. Hist., VII, 549–552.

however, because the profits were so enormous that two trips would pay for the cost of a vessel.

Results of the blockade.

Rhodes, *United States*, III, 544–548, V, 396–410.

The isolation of the South through the blockade was an important cause if not the chief cause of the Confederacy's failure. The South had devoted her energies to raising cotton until "Cotton was King." Before the war she believed that her cotton crop was of greater real value than all the products of the North. But the South had never been self-supporting and could not become so. She never was able to make as much powder as she needed and could not procure enough muskets or cannon. She could raise food for her people, but failure to sell her cotton impoverished her rapidly. The Confederate government believed that Europe would recognize her independence because Europe needed southern cotton, and refused to allow the exportation of cotton before the blockade prevented its exportation altogether, but without avail. Although cotton sold for four cents a pound in the South and brought $2.50 in England, even the Lancashire weavers, half starving from want of work, declared against a Confederacy based on slavery.

Recognition of southern belligerency (May, 1861).

Foster, *Amer. Diplomacy*, 365–369.

Rhodes, *United States*, III, 417–423.

341. Foreign Relations (1861–1865). — The success of the Confederacy depended in large part on the recognition of her independence by European nations. This recognition she never gained. In May, 1861, both Great Britain and France recognized the Confederate states as a belligerent power, with a well-organized government and complete military force. The North resented this action, unjustly, because the establishment of an extensive blockade in April had been an acknowledgment that the hostilities with the South had reached the proportions of a war in which both contestants must be treated according to the rules of war.

The *Trent* affair (Nov., 1861).

In November, 1861, complications with Great Britain were avoided with difficulty. An American war vessel, the *San Jacinto*, stopped the British mail steamer *Trent* on its way from Havana to Europe and removed two commissioners who were being sent to the courts of Great Britain

and France by the Confederate government. The North applauded this act, but the English government and people were very indignant. When a demand was made for the surrender of the commissioners, they were released because their seizure had been irregular. Secretary Seward stated that we complied cheerfully with the request for the surrender of the commissioners, for we had contended many years against the principle of the "right of search."

Foster, *Amer. Diplomacy*, 367–371.

The majority of the officials and people of Great Britain undoubtedly sympathized with the aristocratic South and might not have been unwilling to see the Union broken up. As the prime minister said to a northern man, "We do not like slavery, but we want cotton and we dislike very much your Morrill tariff." Although recognition of the Confederacy was desired by both Great Britain and France, they hesitated to take that action, (1) because Russia, still smarting under the defeats of the Crimean war, openly took the side of the Union and sent a fleet to New York harbor, (2) because the government at Washington made it clear that if the independence of the South were recognized, our ministers would be withdrawn, and (3) because southern invasions of the North were always checked easily and quickly. Much of the credit for preventing the recognition of the Confederacy and the fitting out of privateers and other war vessels in European ports belongs to our ministers abroad, especially Charles Francis Adams, who represented us at the Court of St. James.

Attempts to gain recognition of southern independence.

Foster, *Amer. Diplomacy*, 371–384.

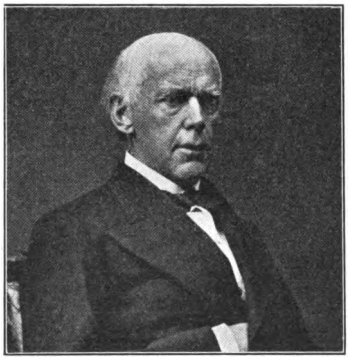
Hosmer, *Appeal to Arms*, 306–322.

342. Bonds and a National Banking System. — Money is called appropriately the chief of the sinews of war, since more wars have failed because of lack of money than for any other one reason. The situation of the national government in the spring of 1861 did not excite envy. The credit of the government had been declining during the hard times succeeding 1857 and was almost destroyed in the fall of 1860, when many feared that the Union might be dissolved. Nevertheless the need of money induced Congress in the summer of 1861 to vote a loan of $250,000,000 at seven per

Government loans.

Dewey, *Financial Hist.*, §§ 120, 130, 132, 136.

cent, with some taxes to pay the interest. This loan could never have been floated but for the loyalty of the banks in the larger northern cities, which disposed of large numbers of bonds. But in December, 1861, the banks were obliged to suspend specie payments, and regular business throughout the rest of the war was done with paper, or with gold at a premium. In February, 1862, a second loan was voted, this time the enormous sum of $500,000,000. Other loans were authorized later, as the government's need of money increased constantly; but it was not easy to sell the bonds even on the advantageous terms at which they were offered.



SALMON P. CHASE

National Banking act.

Dewey, *Financial Hist.*, §§ 138, 139.

In order to provide a new market for the bonds and have a national bank currency which would replace that of the states, a National Banking Act was passed in 1863. This provided that persons might organize national banks which could issue notes to ninety per cent of the value of United States bonds that they held. Later the state bank notes were forced out of circulation by a tax of ten per cent on their issues, so that most of these state banks were converted into national banks.

Issues of greenbacks.

Dewey, *Financial Hist.*, §§ 122–125.

343. Greenbacks and Taxes. — Early in the war the government had begun to levy new kinds of taxes, but in February, 1862, it supplemented the bonds and taxes by issuing treasury notes which did not bear interest. Many people denied that the government had the right to issue bills on the credit of the United States, but the needs of the time overruled all scruples and the notes were issued, first to the amount of $150,000,000, later to three times that sum. They were called popularly "greenbacks,"

and became the ordinary medium of exchange. Being issued in large quantities, they depreciated naturally. At one time $1 in gold was equivalent to $2.85 in paper. Because of this cheap and abundant money high prices prevailed, and a great deal of business was done. Wages were higher, but as they did not increase in the same proportion as the cost of living, a large part of this "forced loan" was paid really by those working by the day, week, or month.

Three kinds of taxes.

Three kinds of taxes were used to gain the money necessary to pay the interest on the national debt and maintain the credit of the government: (1) The tariff, which in 1861 had been made protective in character. The rates were increased considerably in 1862 and much more in 1864 to gain revenue and to protect from foreign competition the industries which were now obliged to pay national taxes. (2) Manufacturing taxes. Part of these were levied on distilled or fermented liquors and tobacco, this tax having been retained to the present. Taxes were levied on almost everything manufactured in the United States from a toy to a locomotive. Often an article would be taxed several times in the process of manufacture. The tax was as nearly universal as it could be made. Even these heavy taxes did not interfere with the industry of the North, for manufacturing developed continually during the war. (3) Personal taxes, which were levied on all incomes except the very lowest. The rate during the last of the war was five per cent on all incomes between $600 and $5000 and ten per cent on all above $5000, those under $600 being exempt. These income taxes were paid cheerfully until peace came, when it was found that taxes of that nature were very objectionable.

Dewey, *Financial Hist.*, §§ 127–129.

Loans and paper money.

344. Southern Finances and Government. — When the South sought to obtain money for carrying on the war, the baleful influence of slavery was very noticeable. As the section had no industries and few strong banks, she did not possess the resources for raising revenue or the means for floating her loans. Since the blockade cut off foreign trade, no duties could be collected on imports or from the export

Rhodes, *United States*, V, 344–351.

Cambridge Mod. Hist., 610–619.

of cotton. The states were too poor to pay heavy taxes of any other kind, so that the government depended on the sale of bonds and the issue of paper money. The earliest bonds were sold for cash, but as the money was expended abroad for military supplies, there was little gold or silver left in the Confederacy. A few bonds were sold later abroad, but most of them were exchanged for food, and netted the government very little. Paper money was issued in large quantities, depreciating rapidly of course in value. Probably the face value of all the notes aggregated more than $1,000,000,000, besides the issues of the state governments and the banks. Prices rose to enormous figures, even the gold value of everything, including cotton, being higher than before the war. A barrel of flour sold in Richmond during the last year of the war for $20 in gold or $1000 in paper.[1]

Arbitrary government in the South.

Cambridge Mod. Hist., 607–610.

Rhodes, *United States*, V, 431, 453–458, 470–475.

As might be expected, the southern jealousy for state rights interfered considerably with the exercise of dictatorial power by the government at Richmond. Yet the necessities of war forced President Davis and the Confederate Congress to use arbitrary means to gain men or money. Attempts were made to regulate prices, needed supplies were seized, the army was recruited by means of forced drafts, and the privilege of the writ of *habeas corpus* was suspended, although less extensively than at the North. In fact, as President Woodrow Wilson says, "everything gave way, even law itself, before the inexorable exigencies of war."

Some of the dangers.

345. Critical Situation at the North. — The material advantages possessed by the Union over the Confederacy are clearly apparent now, and were understood in part at that time, but the result was by no means certain for at least two years. Had the North been less united than it was, history might give us a very different story. The government at Washington felt it necessary to use every means in its power to preserve the Union, even if that involved the sacrifice of personal rights and compelled officials to disregard the

[1] An ordinary dinner for nine persons, in January, 1865, cost $631.50. Rhodes, *United States*, V, 249.

Constitution. Fortunately the people realized the danger to the Union and gave the chief executive their hearty support. It is remarkable that there was so little opposition to the great extension of the president's war power. A few instances will suffice to show how the president became almost a dictator.

Presidential dictatorship.

At the very beginning of the war President Lincoln suspended the privilege of the writ of *habeas corpus* around Washington and in some of the border states. When the Supreme Court protested on the ground that Congress alone could suspend the writ, he ignored the order of the court to release persons imprisoned and Congress practically supported his action. Later the writ was suspended throughout the North and many who opposed the work of the government were imprisoned. The draft was used less at the North than at the South, but both governments took engines and cars on the railways when the need arose. There was a partial censorship of the telegraph at the North, and an edition of two New York newspapers was confiscated because they published news which the government wished to keep secret. The national government attempted at first to treat the southerners as rebels and wished to confiscate their property, but in the end treated them as belligerents. Much the most conspicuous instance of dictatorial power, however, was the freeing of the slaves of those engaged in war against the United States by Lincoln in the Emancipation Proclamation, which he issued by virtue of his position as commander in chief.

Larned (ed.), *Ready Ref.*, 3447–3448, 3496–3498.

Johnston, *Am. Pol. Hist.*, II, 394–405.

Hosmer, *Outcome of Civil War*, Chapter I.

Dunning, *Civil War and Reconstruction*, Chapter I.

The critical period (1857–1861).

346. Summary. — After the Dred Scott opinion had opened all of the territories to slavery, there was little chance of avoiding a conflict between the sections, because neither would yield. A strong executive might have prevented or postponed the secession movement. Buchanan did neither. When the split in the Democratic party (1860) permitted the Republicans to elect Lincoln, South Carolina seceded and six other cotton states followed within six weeks. Buchanan did nothing until forced by public opinion to reorganize

his cabinet. The senators and representatives tried to find some common ground for compromise, the political leaders from Virginia and Kentucky taking the initiative in proposing plans for conciliation, but without result.

Beginning of the conflict (1861).

A month after Lincoln became president, the fall of Sumter began the war, which, it was thought at first, would last but a few months. Preparations were made for the conflict on a small scale, but the chief contest was over the border states, the lower tier of which joined the Confederacy, while the northern border states were persuaded finally to remain in the Union. The battle of Bull Run showed that the struggle was to be one of large proportions. Both sides then began to prepare in earnest. The North had the advantage of very much greater numbers and industrial and natural resources. It had money that was available for carrying on the war. Its navy was able to cut off the Confederacy from the supplies that were indispensable to the South. The South used her men and resources much more freely than the North found necessary. She had several able commanders and possessed the advantage of fighting on her own soil, being able thus to transport her troops from point to point with comparative ease. Her limited resources and inability to supply herself with necessaries made it impossible to compete with the North on equal terms. Foreign nations refrained from recognizing the independence of the Confederacy, and the conquest of her territory became only a question of time.

TOPICS

1. JOHN BROWN'S RAID: Burgess, "Civil War and Reconstruction," I, pp. 34–44; Von Holst, "United States," VII, pp. 18–59; Rhodes, "United States since 1850," II, pp. 383–416; Redpath, "Captain John Brown," pp. 229–407.

2. ELECTION OF 1860: McClure, "Our Presidents," pp. 154–182; Stanwood, "History of the Presidency," Chapter XXI; Stephens, "War between the States," II, Colloquy 18; Blaine, "Twenty Years of Congress," I, pp. 157–172; Rhodes, "United States since 1850," II, pp. 440–502.

3. CONTRAST BETWEEN THE SLAVE AND FREE STATES: Wright, "Industrial Evolution of the United States," Chapter XII; Helper, "Impending Crisis," Chapters V, VIII; Hart, "Practical Essays on American Government," No. XI; Sites and Keener, "Growth of the Nation" (N. America, Vol. XIII), Chapter VI; Brown, "Lower South in Amer. Hist.," pp. 155–190.

4. ENGLAND AND THE UNITED STATES DURING THE WAR: Foster, "Century of American Diplomacy," pp. 365–400; Adams, "Charles Francis Adams," Chapters IX, XII, XIII, XV, XVII; Rhodes, "United States since 1850," IV, pp. 76–95, 337–394.

STUDIES

1. Lincoln's Freeport speech. (Johnston (ed.), "American Eloquence," III, pp. 184–194.)

2. Comparison of Davis, Lincoln, and Douglas. (Burgess, "Civil War and Reconstruction," I, pp. 1–27.)

3. Jefferson Davis. (Trent, "Southern Statesmen of the Old Régime," pp. 257–293.)

4. Seward during March and April, 1861. (Lothrop, "William H. Seward," pp. 246–291.)

5. Reasons for the secession of the Southern States.

6. Formation of the southern Confederacy. (Davis, "Rise and Fall of the Confederate States," I, pp. 229–242.)

7. Stephen's "Corner Stone" speech. (Johnston (ed.), "American Eloquence," IV, pp. 39–50.)

8. Washington on the eve of the Civil War. ("Battles and Leaders of the Civil War," I, 7–25.)

9. The secession movement in Missouri. (Carr, "Missouri," pp. 267–323.)

10. Enlisting in the army. ("Battles and Leaders," I, pp. 149–159.)

11. The Sanitary Commission. (Johnson, "War of Secession," pp. 351–358.)

12. Running the blockade. (Soley, "Blockade and the Cruisers," pp. 153–167.)

13. English sentiment for the South. (Rhodes, "United States," IV, pp. 76–95.)

14. Preventing England from recognizing independence of the Confederacy. (Adams, "Charles Francis Adams," pp. 278–290.)

15. Debate of the issuance of greenbacks. (Blaine, "Twenty Years of Congress," I, pp. 409–429.)

16. Civil government of the southern states. (Garret and Hudley, "Civil War from Southern Standpoint" ("North America," XIV), pp. 485–506.)

QUESTIONS

1. As far as possible trace the development of the radical movement at the North and at the South. In which section did the radicals gain control first?

2. What were the questions that Lincoln asked Douglas? How did Douglas answer those that were most important? How did his answers affect his later political career?

3. What is secession? Distinguish from nullification. Why is the Constitution silent on the subject? Could anything but slavery have caused secession? Was the election of Lincoln sufficient reason for secession?

4. Compare the Constitution of the United States with that of the Confederacy. In what respects do they differ most? Were the states sovereign under the Confederacy? Did they enjoy more powers than those in the Union?

5. Trace the growth of slavery as (*a*) an economic institution; (*b*) a political institution. In what ways had slavery retarded the growth of the South as shown by social conditions, political ideas and customs, lack of material development, etc.? Show clearly as possible why slavery led to secession. Give the important changes connected with slavery from 1830 to 1861.

6. Compare the Confederacy with the Union in population, value of property and products, size of army and navy, financial resources, and dependence on outside countries for war necessities.

7. Which war powers were exercised by the president? Were any of these unconstitutional? extra-constitutional? Is there a "higher law than the Constitution"; judged by the events from 1850 to 1865; judged by the "presidential dictatorship"?

CHAPTER XVII

PROSECUTION OF THE WAR (1862–1865)

PRESIDENT

Abraham Lincoln (1861–1865)

SPRING AND SUMMER OF 1862

347. Theater of War in the West. — The result of the Civil War was decided by the western campaigns, and the western campaigns were determined to a great extent by the direction of the great rivers. As the Union forces necessarily assumed the offensive, they followed naturally the Mississippi, which crossed the west-central part of the Confederacy, and the Tennessee, which penetrates the heart of the South. Movements along the Mississippi were impeded by the shallowness of the river, the many turns, and other obstacles to navigation, and the bordering swamps which prevented the successful coöperation of land and naval forces. When the Union forces had gained possession of the entire river and controlled the railroads which connected the states west of the river with those east, the three western states found it difficult to send men and supplies to the armies across the Mississippi.

General character.

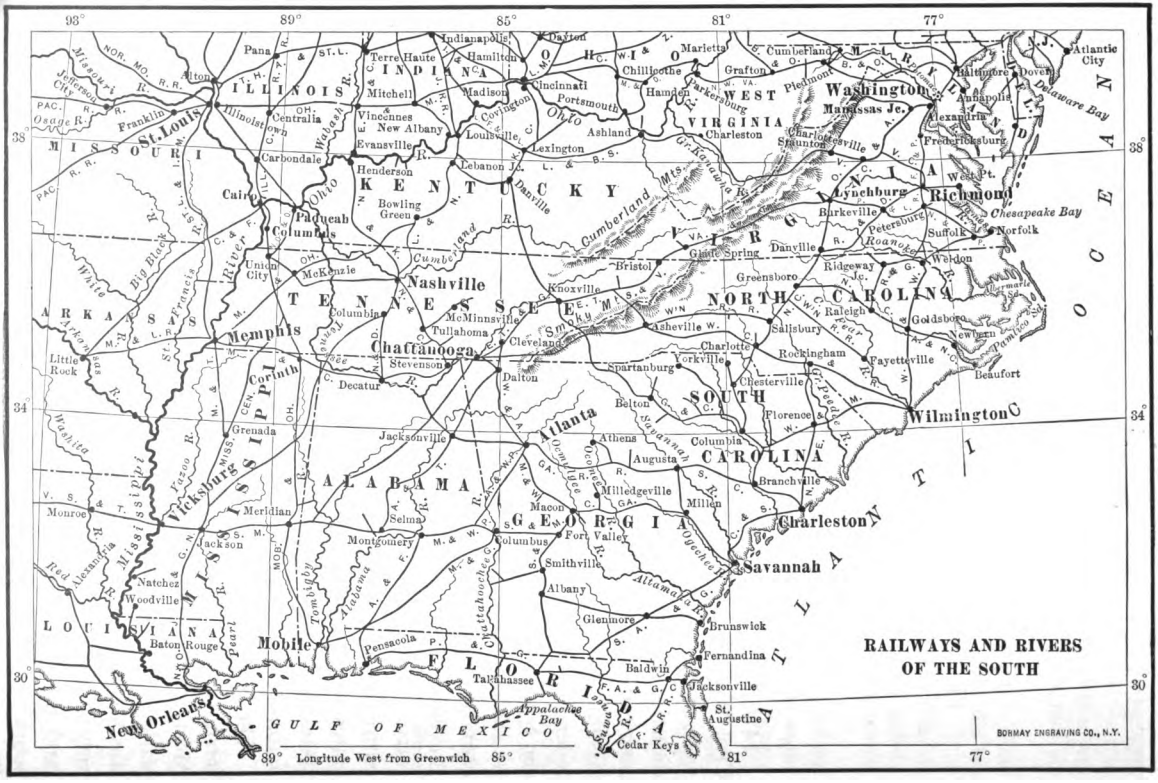
Mississippi River.

Semple, *Amer. Hist. and its Geog. Conditions*, 300–308.

The fate of the Confederacy was decided even more in the territory from the Mississippi to the Alleghany mountains. Most of this was comparatively level and not very well settled. The northern part is crossed by the Ohio, which was always in the possession of the Union troops except the very important points where the Ohio meets the Cumberland, the Tennessee, and most of all the Mississippi. Farther south the Cumberland crosses northern Tennessee, and the Tennessee River after crossing the state of that name gives

Territory between Mississippi and the Alleghanies.

Semple, *Geog. Conditions*, 302–308.


RAILWAYS AND RIVERS
OF THE SOUTH
Longitude West from Greenwich
93°
89°
85°
81°
77°
38°
34°
30°
ILLINOIS
MISSOURI
KENTUCKY
TENNESSEE
MISSISSIPPI
ALABAMA
GEORGIA
LOUISIANA
FLORIDA
VIRGINIA
WEST VIRGINIA
NORTH CAROLINA
SOUTH CAROLINA
ARKANSAS
OHIO
INDIANA
MARYLAND
DELAWARE
ATLANTIC OCEAN
GULF OF MEXICO
St. Louis
Chicago
Cairo
Memphis
Nashville
Chattanooga
Atlanta
Vicksburg
Meridian
Jackson
Montgomery
Mobile
New Orleans
Louisville
Cincinnati
Indianapolis
Lexington
Evansville
Columbus
Pittsburg
Washington
Baltimore
Richmond
Norfolk
Lynchburg
Charleston
Wilmington
Savannah
Jacksonville
Augusta
Macon
Columbus
Knoxville
Bristol
Roanoke
Greensboro
Raleigh
Charlotte
Spartanburg
Florence
Atlanta
Little Rock
Vicksburg
Natchez
Woodville
Baton Rouge
Pensacola
Tallahassee
Cedar Keys
St. Augustine
Fernandina
Brunswick
Albany
Fort Valley
Milledgeville
Millen
Branchville
Charleston
Savannah
Beaufort
Newbern
Goldsboro
Weldon
Petersburg
Richmond
Fredericksburg
Alexandria
Annapolis
Atlantic City
Dover
Philadelphia
Harrisburg
Pittsburg
Wheeling
Parkersburg
Huntington
Ashland
Portsmouth
Cincinnati
Dayton
Columbus
Springfield
Terre Haute
Indianapolis
Hamilton
Madison
Vincennes
Mitchell
Centralia
Carbondale
Henderson
Bowling Green
Paducah
Columbus
Union City
McKenzie
Columbia
McMinnville
Tullahoma
Cleveland
Stevenson
Decatur
Dalton
Jacksonville
Grenada
Meridian
Selma
Montgomery
Jackson
Natchez
Woodville
Baton Rouge
Mobile
Pensacola
Tallahassee
Cedar Keys
Fernandina
Jacksonville
St. Augustine
Albany
Smithville
Fort Valley
Macon
Augusta
Athens
Belton
Yorkville
Chesterville
Rockingham
Fayetteville
Wilmington
Salisbury
Asheville
Greensboro
Ridgeway
Danville
Glade Spring
Bristol
Knoxville
Lynchburg
Charlottesville
Staunton
Harrisonburg
Winchester
Hagerstown
Frederick
Baltimore
Washington
Alexandria
Fredericksburg
Richmond
Petersburg
Suffolk
Norfolk
Weldon
Goldsboro
Newbern
Beaufort
Wilmington
Florence
Charleston
Savannah
Jacksonville
Fernandina
Brunswick
Albany
Fort Valley
Macon
Augusta
Athens
Columbia
Branchville
Millen
Milledgeville
Spartanburg
Charlotte
Rockingham
Fayetteville

entrance to northern Mississippi and northern Alabama. Railways ran in 1862 from the junction of the Mississippi and the Ohio to New Orleans and Mobile. East and west railways extended from Memphis to Chattanooga and Charleston, and from beyond Vicksburg to Atlanta, Savannah, and Charleston.

The most important points for the attacking Union force to gain were Cairo and Paducah on the line of the Ohio; Memphis, Corinth, and Chattanooga along the southern boundary of Tennessee; New Orleans and Vicksburg on the lower Mississippi, and the railway center, Atlanta, in north-central Georgia, on the border line between the west and the east. The location of these places should be noted carefully and the maps should be used constantly to ascertain the general routes of the Union forces.

Strategic points in the West.

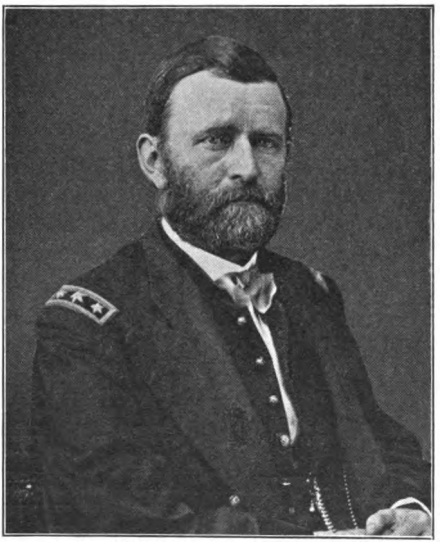
348. Grant's Campaign in the West (to February, 1862). — When the Confederates seized and fortified the bluff at Columbus, Kentucky (September, 1861), General Grant, who had already occupied Cairo, took Paducah also and thus

Seizure of the line of the Ohio. Grant.

Rhodes, *United States*, III, 594–598.

Hosmer, *Appeal to Arms*, 84–90.

gained possession of the entire line of the Ohio. Ulysses S. Grant was a West Point graduate who had done excellent service under both Taylor and Scott during the Mexican War. Before 1861 he had been engaged in business without very great success near St. Louis and later at Galena, Illinois. A man of few words, in all his campaigns he acted with a promptness and carried his plans to completion with a determination that brought results. He showed good judgment in the selection of his immediate subordinates, but was often imposed upon by men whose motives he believed to be as pure as his own.



ULYSSES S. GRANT

Capture of the first Confederate line.

The next forward movement of the army was to capture Columbus, Island No. 10, and forts Henry and Donelson, so as to open the Mississippi, the Tennessee, and the Cumberland by taking the first line of forts. Farther east the Confederates were driven out of Kentucky by Thomas.[1] Fort Henry was captured by Admiral Foote and his fleet of gunboats, the garrison withdrawing to Donelson, which was much stronger. A combined land and water attack was made on Donelson, during which Grant demanded the " unconditional surrender " of the fort. On February 16 Grant won his first great victory by capturing Donelson, with its garrison of nearly fifteen thousand men. Considering the size of his

Dodge, *Civil War*, 25–28.

Fiske, *Miss. Valley*, 52–66.

[1] Battle of Mill Springs, January 19, 1862.

force, less than that of his opponents, the strength of the fortifications, and the severity of the weather, this must be considered one of his greatest achievements. The capture of Donelson left the way open to Nashville and compelled the Confederates to withdraw from Columbus.

349. Completion of the Western Tennessee Campaign. — Grant's successes on the Tennessee and the Cumberland

Battle of Shiloh (April, 1862).

WESTERN KENTUCKY AND TENNESSEE

Rivers were followed by Pope's capture of Island No. 10 after an energetic campaign, March, 1862. Grant had at once advanced to Pittsburg Landing on the Tennessee River, the nearest point for an attack upon Corinth, which was at the junction of the north and south railway with that from Memphis to Chattanooga. At this point he waited for reënforcements to arrive from Nashville. His divisions were badly scattered and the army in no condition for advance or defense. Less than thirty miles away was a Confederate army nearly as large as Grant's under Albert Sidney Johnston, one of the most experienced officers of the old regular army and at that time considered the ablest military leader

Dodge, *Civil War*, 42-48.

Johnson, *War of Secession*, 132-145.

Battles and Leaders, I, 465-486.

on either side. Suddenly before daybreak, April 6, the Confederates attacked the advanced brigades of Grant's scattered force near Shiloh church. Several thousand prisoners were taken and the Union troops were driven back in the attempt to get between them and the river. That the Union army was not destroyed at the outset was due largely to the courage of the soldiers, and the skill and determination of William T. Sherman, for Grant was absent and at least ten thousand of his soldiers could not report for duty on the field of battle. The death of Johnston and the stubbornness of the Union defense saved Grant's army that day, and the arrival of Buell's army from Nashville and other troops so strengthened Grant that he overpowered the Confederates the next day, although he did not follow up his victory.

Capture of Corinth and Memphis.

Larned (ed.), *Ready Ref.*, 3461–3469.

Fiske, *Miss. Valley*, 133–137.

General Halleck, who had charge of all western armies, now took command of all the troops at Shiloh and advanced against Corinth. With his greatly superior force he pressed back the Confederates, who abandoned this strategic point without a battle. After he had gained possession of the east and west railway at Corinth and at points east, Memphis surrendered to Admiral Foote, who had defeated the Confederate fleet on the Mississippi.

Plan of campaign, 1862. Progress of the blockade.

Dodge, *Civil War*, 33–39.

Johnson, *War of Secession*, 90–98.

350. New Orleans (1862). — The advance of the Union armies from the north along the Tennessee and the Mississippi was but part of a much larger plan which included not only the opening of the Mississippi by attacking New Orleans also, but the advance upon Richmond and the capture of important places on the Atlantic or Gulf coasts which could be made the bases of operation for the fleets or blockading squadrons. The United States navy had already gained a foothold on the islands off the coast of North Carolina. A Union fleet had captured Port Royal and had gained control of most of the inlets between Charleston and Savannah. In this way the blockade of those ports and a few others on the south Atlantic coast was made very effective. The capture of New Orleans was desired not simply because it was on the Mississippi, but because its nearness to the cotton belt made

it easy to ship that staple from the city. On account of the three mouths of the Mississippi it was very difficult to maintain an effective blockade.

Capture of New Orleans.

The naval expedition against New Orleans was intrusted to Admiral Farragut, a southerner of the greatest ability, who remained loyal to the Union. With a large fleet of wooden vessels, and mortar boats under Admiral Porter, Farragut attacked the forts on opposite banks of the river, which constituted the chief defense of the city. After several days' bombardment, the chain across the river which connected the forts was cut, the Confederate fleet was overpowered, and the Union vessels ran past the forts. The city surrendered at once, April 25, and the forts held out only a few days longer.

Larned (ed.), *Ready Ref.*, 3458–3460.

Johnson, *War of Secession*, 111–126.

351. **The Theater of War in Virginia.** — In the East the advance of the Union armies was as difficult as it was easy in the West. From Washington to Richmond is about 100 miles as the crow flies, but the country is as hard to traverse as 500 miles along the Mississippi or the Tennessee. Below the Potomac three rivers cross eastern Virginia, flowing in a southeasterly direction. Farthest north is the Rappahannock, which, at Fredericksburg, is but ten miles from the lower end of the great bend of the Potomac. South of this is the York, and still farther south the James River, with Richmond located at the first series of falls over 100 miles from Chesapeake Bay. Between these rivers the country was wild and almost impassable. Near the coast were swamps, farther inland hills, and everywhere forests. Roads were few, although in 1862 there was a railway from the Potomac above Fredericksburg to Richmond and other southern cities, besides the railway running through Manassas to Lynchburg and Chattanooga.

Country between Washington and Richmond.

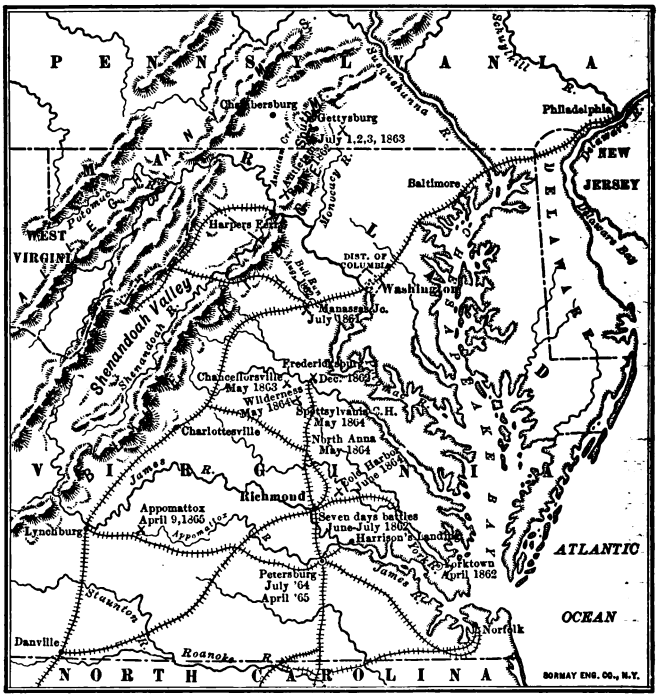
Semple, *Geog. Conditions*, 289–293.

To these physical difficulties encountered in an advance on Richmond, there was added the problem of defending Washington. On the side of the Potomac there was nothing to fear so long as the Union side had fleets and the Confederates had none. The great danger arose from the Shenandoah

Defence of Washington and Shenandoah valley.

Semple, *Geog. Conditions*, 293–300.

valley. Harper's Ferry, at the confluence of the Shenandoah and the Potomac, is but thirty miles west of Washington and twenty miles north, so that a force crossing the Potomac at this point could threaten Washington from the rear. The upper part of this fertile valley, sometimes called the "gran-



THEATRE OF WAR IN VIRGINIA

ary of the Confederacy," is divided into two parts, a range of hills separating the valley of Cedar creek from that of the upper Shenandoah. A retreating army could withdraw up one of these valleys, cross into the other, and either escape into central Virginia through the many passes of the Blue Ridge or get between Washington and the Union force that had been following them. Because of the geography of northern Virginia a single Confederate army, if it pos-

sessed a fairly large body of cavalry or rapid-moving troops, might compel the Union commanders to keep one army south of Washington to prevent a direct attack on that city and might at the same time threaten and keep engaged an equally large Union force in the Shenandoah valley.

The *Merrimac.*

352. ***Monitor* and *Merrimac.*** — Because of the difficulty of crossing eastern Virginia, it was decided early in 1862 to attack Richmond by transporting the troops to the peninsula formed by the James and York rivers. This plan was no sooner adopted than its execution was endangered by the arrival in the lower Chesapeake of a powerful Confederate ironclad, the *Virginia* or *Merrimac*, which threatened to destroy the Union vessels in those waters and all fleets sent to that quarter. This ironclad had been constructed from the hulk of a Union vessel, the *Merrimac*, which had been sunk in Norfolk navy yard, when Norfolk with its many sunken vessels and fine guns had been abandoned hastily the preceding April. The new *Merrimac*, with its coat of heavy armor, attacked first the wooden ships at Hampton Roads. On March 8, 1862, she destroyed the *Cumberland* and the *Congress* and drove the *Minnesota* ashore. Alarm spread throughout the North, due to the fear that she might attack Washington or the shipping in New York harbor or even bombard the commercial metropolis.

Battles and Leaders, I, 692–701.

Johnson, *War of Secession*, 127–131.

Rhodes, *United States*, III, 608–614.

First contest between ironclads.

That night the ironclad *Monitor* arrived at Hampton Roads. It had been designed by John Ericsson, a native of Sweden, the chief inventor of the screw propeller for steam navigation. It had been constructed at New York in three months for just this emergency. For two hours on the morning of March 8 these two ironclad vessels fought each other at close range, until the *Merrimac* withdrew, not disabled but baffled, never again to be used for offensive purposes. A new era had dawned in the history of naval warfare, an era of steam and steel replacing the old epoch of canvas and oak.

Battles and Leaders, I, 701–711.

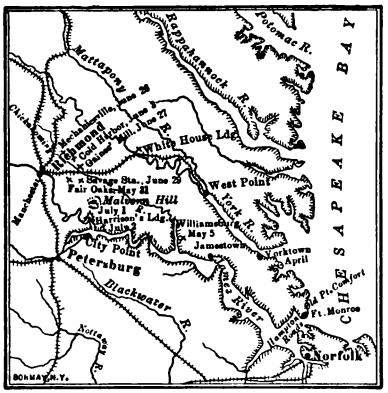
353. **McClellan's Peninsular Campaign.** — The destruction of the *Merrimac* made it possible to carry out McClellan's

Situation in Virginia (April, 1862).

plan of an advance upon Richmond from the east. Since the beginning of the war the motto of the New York *Tribune* had been echoed throughout the North, "On to Richmond," to which there came always the same reply, "All quiet on the Potomac." Everywhere the question was asked, "Why doesn't McClellan move?" At last this slow organizer of armies was ready, but delay was caused by friction with the President, who was fearful that Washington might be captured and wished a large part of the army of the Potomac to be left for its defense. McClellan demurred, especially when McDowell's army was detached from his force. But the danger to Washington seemed real to the politicians, for, in the Shenandoah valley, "Stonewall" Jackson and his light infantry defeated three armies containing nearly three times as many men as his own and finally withdrew almost unharmed to aid in the defense of Richmond.

Wood-Edmonds, *Civil War*, 42–53.

Hosmer, *Appeal to Arms*, 125–132, 138–153.



PENINSULAR CAMPAIGN

Battles on the peninsula.

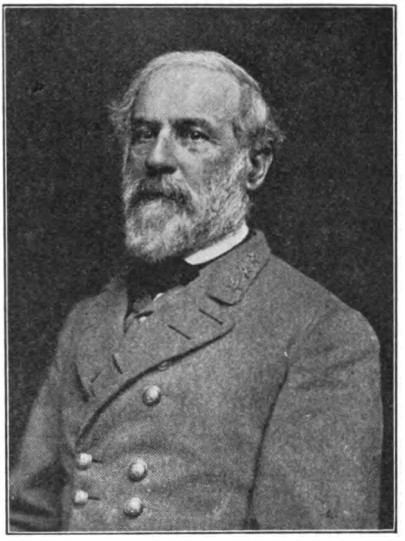
McClellan felt crippled by the loss of these troops, but he still outnumbered his opponents, at first two to one. But McClellan always overestimated the size of the Confederate forces and never realized the value of rapid movements. He lost nearly a month besieging Yorktown, defended by wooden guns, and, compared with his own army, a handful of troops, who withdrew as soon as he was ready to attack. In a rather swampy region, in mud that made rapid marching impossible, he finally penetrated to within five miles of Richmond, drove back the Confederates, wounding the commanding general, J. E. Johnston, and waited for reënforcements. Every day saw the defense of Richmond

Cambridge Mod. Hist., VII, 474–479.

Dodge, *Civil War*, 52–68.

Hosmer, *Appeal to Arms*, 132–137, 154–166.

stronger and the Confederate army larger. At length, the last week of June, General Robert E. Lee,[1] who was now in command, attacked the scattered line of the northern army. With vigorous blows he attacked the Union right so as to cut McClellan's line of communications with the York River. McClellan easily changed his base of operations to the James River and withdrew to Harrison's landing. For seven days Lee attacked, in many cases his entire army being pitted against a part of McClellan's detached forces. McClellan showed himself skillful in conducting his retreat, but failed to take advantage of several opportunities to march on Richmond or to destroy parts of Lee's army which were in perilous positions. Nothing had been accomplished, but the North had discovered the great difficulties of capturing the Confederate capital.



ROBERT E. LEE

[1] Lee was a Virginian who resigned from the United States army when his state seceded. A West Point graduate, he had served with distinction as chief of engineers in the Mexican War and had been superintendent of the academy at West Point for several years. His action in withdrawing from the Union army has been the subject of extended discussion, but was caused by his belief that his allegiance was due to his own state. In western Virginia he did not distinguish himself, but, as he gained more experience, his real military ability became evident. Beloved and respected by his men, he made the army of northern Virginia one of the finest bodies of soldiers in modern times. Probably no man in America during this period, except the great president of the Union, so won the hearts of the people, North and South, as did "Uncle Robert."

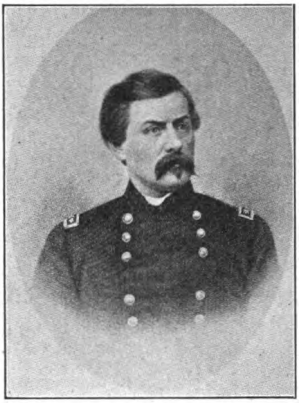
The Middle Period of the War (August, 1862–June, 1863)

Lee's first invasion of the North.

354. The Fall of 1862. — General Halleck had now been transferred to the command of all the Union armies. He ordered McClellan to withdraw from the peninsula and placed Pope in charge of the forces before Washington. Lee immediately assumed the offensive, and proceeded north rapidly from Richmond. Before McClellan could join Pope, Jackson had gained the rear of the army at Bull Run and Lee attacked in front. Blunder followed blunder, and Lee had little difficulty in winning from a superior force the second battle of Bull Run. This victory removed all possible danger of renewed campaigns against Richmond.

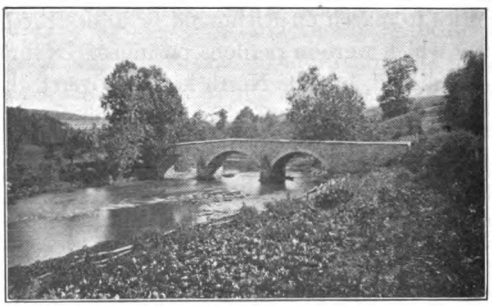
Cambridge Mod. Hist., 480–483.

Johnson, *War of Secession*, 173–183.



George B. McClellan

The time seemed propitious for an invasion of the North.



Antietam Bridge

Antietam and Fredericksburg.

Maryland had been interested in the Confederacy and there was hope still that she might be detached from the Union, while a successful campaign north of the Potomac would give

the Confederacy prestige abroad which it had not yet been able to gain. The Union army, again under McClellan, met Lee at Antietam creek. The battle was a Union victory, although Lee with an inferior force outgeneraled his opponent. Lee recrossed into Virginia without pursuit being organized. Burnside was now placed in command of the army of the Potomac, against his own wishes, and in December attacked Lee's fortified position at Fredericksburg on the Rappahannock. The result of a direct assault was to have been expected, but the days following this sickening Union defeat were the darkest of the whole war.

Dodge, *Civil War*, 102–115.

Battles and Leaders, II, 663–674.

While Lee was leaving McClellan on the Peninsula and marching north, Bragg withdrew part of the Confederate army from before Corinth. Then Bragg assumed an even bolder course than Lee. While the latter was invading Maryland, Bragg dashed past Buell into Kentucky with the hope of seizing Louisville and perhaps Cincinnati and completing the panic which would be caused by a successful invasion in the East. Buell reached Louisville first and a few weeks later drove Bragg from Kentucky by defeating him at Perryville. The last day of the year 1862 these armies came together again at Stone River, and battled this time for the control of central Tennessee. After two days' severe fighting the Union force was left in control of the field.

Bragg's invasion of Kentucky.

Dodge, *Civil War*, 82–88.

Rhodes, *United States*, IV, 173–181.

Battles and Leaders, III, 1–25.

355. **Events Leading to Emancipation.** — On January 1, 1863, President Lincoln issued his famous Emancipation Proclamation. The policy of emancipation had been developed slowly, for since the beginning of the war the government had been troubled by the problem of the negroes. Lincoln had disclaimed from the time of his inauguration that the war was waged to free the slaves, although many people at the North were more interested in the abolition of slavery than in any other national question, and most of the people in Europe believed that the war was essentially a struggle to preserve or destroy slavery. General Butler at Fort Monroe had suggested the best plan for dealing with the negroes who flocked to his camp. He declared that they

Problem of negro fugitives.

Cambridge Mod. Hist, VII, 580–582.

were an aid to the enemy in carrying on the conflict, and should be treated as "contraband of war." Colored fugitives were known afterward as "contrabands."

Emancipation before July, 1862.

Cambridge, Mod. Hist., VII, 582, 587.

Rhodes, *United States*, IV, 60–66.

Larned (ed.), *Ready Ref.*, V, 3453, 3462, 3464, 3473.

Hosmer, *Appeal to Arms*, 201–212.

In August, 1861, Congress passed a confiscation act freeing the slaves who aided the Confederates. Two of the Union commanders, Frémont in Missouri (1861) and Hunter in South Carolina and Georgia, applied this by declaring free all slaves in their districts. Their acts were overruled by Lincoln who claimed and exercised the right to deal with the slaves in the seceding states. Lincoln used his influence to persuade Congress to vote money for the compensation of slave owners in the loyal border states and tried to have those states agree to compensated emancipation, but the conservatives in Congress and in these states defeated the plan. Lincoln's purpose was chiefly to attach these states irrevocably to the Union by breaking the only bond that might exist between them and the Confederate states. Congress did, however, free the slaves in the District of Columbia, paying an average of more than $200 each to their owners. On June 19, 1862, it abolished slavery in the territories without compensation.

Lincoln's views on emancipation.

Cambridge Mod. Hist., 585–591.

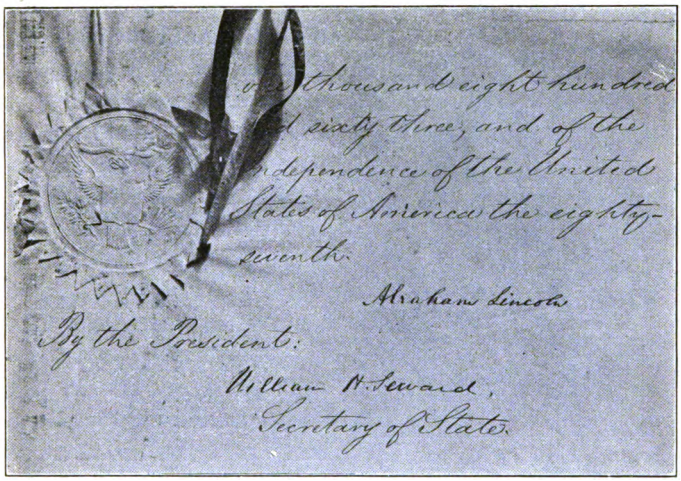
Rhodes, *United States*, IV, 66–76.

356. Emancipation. — Lincoln was among the first of those in authority to realize the need of emancipating the slaves of those in insurrection against the government. He considered it simply a war measure that would aid the Union cause. On July 22, 1862, he read to his cabinet the first draft of an emancipation proclamation, but the matter was kept secret and postponed because the issuance of the proclamation in the midst of the defeats of the armies in Virginia would appear like a call for help to Europeans who disliked slavery. Lincoln's object was shown clearly when a month later he replied to the unjust criticism of Horace Greeley in the New York *Tribune*, because the President had not freed the slaves. He wrote, "I would save the Union. I would save it in the shortest way under the Constitution. . . . My paramount object in this struggle is to save the Union and is not either to save or to destroy slavery.

If I could save the Union without freeing any slave, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that."

Proclamation and results.

Soon after the victory at Antietam in September, 1862, President Lincoln issued his preliminary proclamation, stating that on January 1, 1863, he would free the slaves



EMANCIPATION PROCLAMATION (Closing Page)

in those states or parts of states that were in insurrection against the United States. This was done by the regular proclamation on New Year's Day. The proclamation did not affect slavery in the loyal parts of the Union, in some of which it was abandoned, however, by state action before the adoption of the thirteenth amendment. It did not abolish the institution of slavery even in the states then actual parts of the Confederacy. It intensified the opposition of the South to the invasion of the Union armies, but it almost destroyed hope of recognition by Europe of a Confederacy based on slavery. It did not affect radically the attitude of the people in the North toward the government's policy, although it met with approval in most of that section.

MacDonald, *Statutes*, No. 28.

Cambridge Mod. Hist., 591–597.

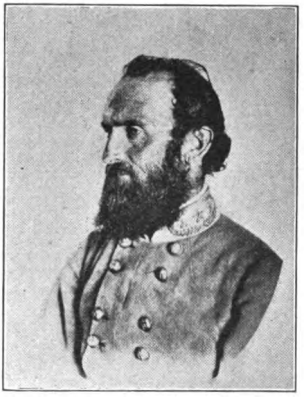
Rhodes, *United States*, IV, 157–163, 212–217.

Chancellorsville (May, 1863).

357. Chancellorsville; Lee's Second Invasion. — The series of disasters to the army of the Potomac was to be completed at Chancellorsville, May, 1863. "Fighting Joe" Hooker, who had replaced Burnside, sought to get in the rear of Lee's army by making a long detour to the west. He began this movement successfully, but the vigor with which Lee attacked him paralyzed the Union leader and gave Lee an overwhelming victory over an army much larger than his own. At Chancellorsville, however, Lee lost Jackson, who had been an invaluable help in executing difficult and dangerous movements whose success depended chiefly upon the rapidity and audacity with which they were made.

Dodge, *Civil War*, 127–131.

Battles and Leaders, III, 154–171.



THOMAS J. JACKSON

Invasion of Pennsylvania (June, 1863).

Lee now decided to invade the North a second time, hoping that he might seize some of the northern cities and that even if he did not succeed to that extent, he might create a panic throughout the North that would compel that section to make peace. Lee marched to the west of Hooker's army, separating his divisions so that only the timidity of those in authority at Washington permitted the completion of this difficult movement. The chief duty of the army of the Potomac, according to the views of the chief commander, was to stand between Lee's sixty or seventy thousand veterans and the national capital. Lee was advancing into Pennsylvania when the Union commander was replaced by another, General George Meade, who threatened Lee's communications and hurriedly gathered his scattered army to meet the invasion. Lee turned aside from his march into central Pennsylvania in order to meet Meade marching rapidly from Washington.

Dodge, *Civil War*, 127–131.

Battles and Leaders, III, 244–250.

Union Advance (July, 1863–July, 1864)

358. Gettysburg. — The two armies came together near the village of Gettysburg, in southern Pennsylvania. Fighting began on July 1, only a few divisions being engaged on each side. On July 2, the battle began in earnest, the July 1 and 2.

Gettysburg Battlefield
(From Little Round Top)

Union forces having occupied a long ridge which ended in two detached hills known as Round Top and Little Round Top. Across a valley less than a mile wide, the Confederate army was intrenched. Other divisions of Lee's force were stationed so that they might attack the right flank of the Union army, and, if successful, get in its rear. The real fighting of the second day, however, was for the possession of the two Round Tops which commanded the entire union position. Had the Confederates gained and held these heights, Meade's army must inevitably have retreated. The second day closed with the Union line intact.

Dodge, *Civil War*, 136–141.

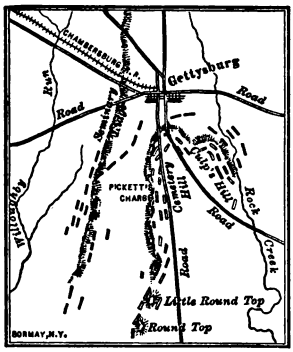
Hosmer, *Appeal to Arms*, 287–298.

July 3.

Rhodes, *United States*, IV, 286–296.

Battles and Leaders, III, 369–385.

On the afternoon of the third day began the final struggle in the most spectacular charge of the war. It opened with a tremendous artillery contest, the Confederate fire being concentrated on Cemetery Ridge, the Union center, which Lee desired to seize. When the Union guns ceased fire at length, there appeared from the woods opposite Cemetery hill three long lines of soldiers, the "best fighters of the Confederacy," who marched across the valley against the Union position. Upon them the Union batteries opened with renewed vigor, but they marched on, charged up the hill, even over the embankments, their ranks thinned by the terrible fire from cannon and musket. Futile though it was, for the survivors were beaten back easily, this gallant charge marks the high-water mark reached by the Confederacy. Never again was an invasion of the North attempted, and from this time the fortunes of the Confederacy ebbed steadily, it being a question of time only until the authority of the Union would be reëstablished everywhere in the South.



GETTYSBURG BATTLEFIELD—LAST DAY
Union forces — *Confederate forces* —

Difficulties in attacking Vicksburg.

Dodge, *Civil War*, 142–147.

Brigham, *Geographic Influences*, 211–217.

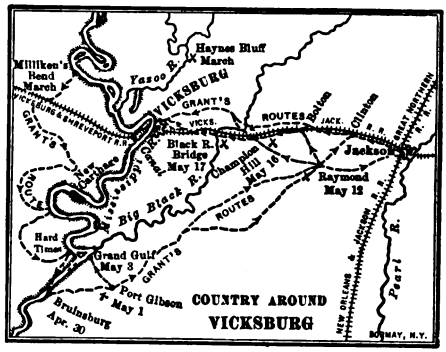
359. Vicksburg. — The Union victory at Gettysburg on July 3 was accompanied by the capture of Vicksburg on July 4. Because of its location on the Mississippi, the strength of its fortifications, and the difficulties of maneuvering in the country around Vicksburg, this campaign was one of the most important and remarkable of the war. Late in the fall of 1862, two unsuccessful expeditions had been made against the city along the river and railroad. Vicksburg is located on a high bluff at the outer end of a huge bend of the river so that batteries on the bluff commanded the river for miles in either direction. An attempt was made, in 1862

and again during the spring of 1863, to cut a canal across the neck of the bend, and, by diverting the waters of the Mississippi through this canal, to leave a dry channel in front of Vicksburg.

Grant's route against Vicksburg.

Grant tried at first to land north of the city, but when he found that this was impossible, he decided to move his army in a semicircle through the swamps of Arkansas, and, by landing south of Vicksburg to attack the city from the southeast. This movement was attended with great risk, because his long line of communications was exposed, and because defeat would leave him at the mercy of his foe. He succeeded finally in opening a water route through Arkansas. The gunboats above Vicksburg passed the batteries so as to aid him in crossing, and, late in April, he landed his army in Mississippi thirty miles below Vicksburg. Grant moved rapidly considering the physiographical difficulties encountered, and by the middle of May had thrust himself between Pemberton, who commanded the army around Vicksburg, and the forces farther east. Joseph E. Johnston was coming to the aid of Pemberton and ordered that general to abandon Vicksburg and join him, but Pemberton thought his own plan better and kept between Grant and Vicksburg. He was driven back into the city without delay.

Dodge, *Civil War*, 147–155.



Grant tried at once to take the fortifications of Vicksburg, for he feared that Johnston would either unite with Pemberton or would attack Grant's army in the rear. The works were too strong to be captured by assault, but John-

Capture of Vicksburg.

Dodge, *Civil War*, 156–161.

ston remained inactive, and Grant was able to lay siege to the city. A merciless bombardment was kept up by the fleet and army, but the fall of the city after six weeks was due to the scarcity of food. On July 4 Pemberton surrendered with his army of more than thirty thousand men. The Mississippi was opened completely by the fall of Port Hudson less than a week later.

Chattanooga.

360. Operations around Chattanooga (1863). — The capture of Vicksburg limited greatly the sphere of hostilities, confining it in the South to the area around Chattanooga and those districts in Alabama and Georgia which could be reached most easily from Chattanooga.[1] Chattanooga, the key to all this region, lies in the narrow valley of the Tennessee with mountains on the northwest, and completely surrounding it on the south. Toward the east a range several hundred feet high, called Missionary Ridge, commands the city, and on the south a higher mountain, Lookout Mountain, threatens the place. To Chattanooga Bragg was forced to withdraw from near Stone River (§ 354), during the summer of 1863, but Rosecrans found it difficult to drive his opponent from the city. He finally sent his divisions over the mountain trails across the ranges south of the city in order to cut Bragg off from his base of supplies.

COUNTRY AROUND CHATTANOOGA
Showing Battlefields and Sieges (1863)

Dodge, *Civil War*, 172–178.

Fiske, *Miss. Valley*, 248–264.

[1] The Confederates still held Mobile, Alabama, and places as far west as Meridian, Mississippi, but this hold was very slight and could have been broken entirely, if the troops had not been engaged in more important enterprises.

Bragg immediately withdrew from Chattanooga (September), but as soon as he was reënforced, fell upon the advanced divisions of Rosecrans's army at Chickamauga Creek (September 19 and 20). The wings of the Union army were driven back in terrible disorder, but Thomas with the center formed his lines in a semicircle and withdrew slowly, holding at bay a force much more than double his own. The firmness of this reliable soldier, himself a southerner, saved the Union army. He was known thereafter as the "Rock of Chickamauga." Chickamauga.

Dodge, *Civil War*, 179–183.

Fiske, *Miss. Valley*, 264–280.

Thomas now took command in place of Rosecrans, but was practically besieged in Chattanooga by Bragg, who held both Missionary Ridge and Lookout Mountain. So difficult was it to get supplies that the army was at one time on very short rations. The arrival of Grant with reënforcements from Vicksburg relieved the situation, and plans were made at once to get control of the heights about the town. Late in November, the troops were ordered to seize the rifle pits at the foot of Missionary Ridge. These were taken without difficulty and the elated soldiers without orders rushed up the hill and drove the Confederates from the top of the ridge — a reckless move only justified by its success. The Union army was now in complete control of Chattanooga and its approaches. Missionary Ridge.

Dodge, *Civil War*, 184–189.

Larned (ed.), *Ready Ref.*, V, 3510–3513.

361. Naval Operations (1864). — During 1863, no extensive naval operations were undertaken along the seacoast, although the blockade was strengthened and Charleston blockaded more carefully. In 1864 two important attacks were made: one at Mobile, the other at Wilmington, North Carolina. The forts of Mobile Bay were captured in August, 1864, by a fleet under Farragut. The wooden ships and monitors steamed past the forts at the entrance to the bay, crossed the mines and torpedoes with the loss of a single vessel, destroyed a powerful Confederate ironclad, and closed the port to blockade runners. Mobile.

Cambridge Mod. Hist., VII, 554–556.

Larned (ed.), *Ready Ref.*, 3537.

The attack on Wilmington was less successful. Wilmington was defended by a very strong fort called Fort Fisher. Wilmington.

Cambridge Mod. Hist., VII, 556–558.

On account of the two mouths of the Cape Fear River and the strength of that fort, Wilmington had remained open to the blockade runners until this time.[1] As the Union forces controlled all the railways except those in the Carolinas and southern Virginia, Lee's army was dependent on Wilmington for food and supplies. Fort Fisher was attacked in December, 1864, but only after great losses, in February, 1865, did it surrender.

The *Alabama*.

Larned (ed.), *Ready Ref.*, I, 24–26.

Battles and Leaders, IV, 600–614.

In the year 1864 the most successful of the Confederate commerce destroyers were sunk or captured. A few of these had been fitted out in southern ports, but those that did the most damage were of British build and in some cases had been allowed to proceed from English ports after the American minister, C. F. Adams, had protested that they were to be used against northern commerce. The *Alabama* had the most successful career. After a cruise of two years, in which she captured no less than sixty-nine vessels, she fought the American warship, *Kearsarge*, off the harbor of Cherbourg, France, in June, 1864. The ships seemed evenly matched, but the duel was short, and in less than two hours the *Alabama* sank.

Privateers and shipping.

Cambridge Mod. Hist., VII, 565–567.

Johnson, *War of Secession*, 402–412.

Although only two hundred and sixty-one prizes were taken by all of these privateers, they practically drove American merchantmen from the high seas.[2] Before the war Great Britain and the United States carried an equal amount of shipping, but in 1866 American vessels carried only about one half as much as they had in 1860. The use of steamers in place of sailing vessels and of steel in place of wood was responsible also for the decline of our merchant marine.

[1] H. W. Wilson, in *Cambridge Modern History* (Vol. VII, p. 557), gives the following statistics of supplies entering the port at Wilmington between October 26, 1864, and January, 1865: 8,632,000 lb. of meat, 1,607,000 lb. of lead, 1,933,000 lb. of saltpeter, 546,000 pairs of shoes, 316,000 pairs of blankets, 500,000 lb. of coffee, 69,000 rifles, and 43 cannon.

[2] By a tribunal held in Geneva, Switzerland, in 1872, in accordance with an agreement reached in the treaty of Washington (1870) (§ 416), Great Britain paid the United States $15,500,000 for the "*Alabama* claims."

362. The Advance on Atlanta (1864). — Grant was called to Washington in the spring of 1864 to take command of all the Union armies. It was decided to have the army of the Potomac and that at Chattanooga advance simultaneously so as to prevent the Confederates from shifting divisions to the point attacked, as they had been able to do formerly.

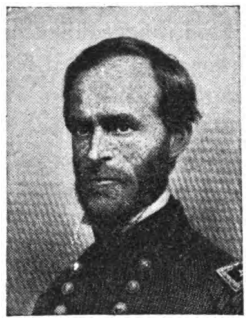
Plan of campaign (1864).

Sherman[1] commanded the army in the West, whose objective point was Atlanta. Although the distance from Chattanooga to Atlanta is only a little more than one hundred miles, there are several ranges of the lower Appalachian mountains to be crossed, and only one practicable route to be followed. Over this a line of communications must be maintained after the army had passed. Sherman had a fine force of nearly one hundred thousand veterans, but he was opposed to Joseph E. Johnston, a commander but little less able than Lee in conducting a defensive campaign, with an army three fourths as large as his own. On account of his superior numbers Sherman was able to leave part of his force in front of Johnston, and, by moving the balance to one side, threaten his rear and compel him to abandon one fortified position after another. At Kenesaw Mountain Sherman was forced by the impatience of his

From Chattanooga to the Chattahoochee.

Johnson, *War of Secession*, 419–429.

Dodge, *Civil War*, 223–243.



WILLIAM T. SHERMAN

Battles and Leaders, IV, 247–253, 260–277.

[1] William T. Sherman was a brother of the statesman, John Sherman, who was actively engaged in public life for more than forty years. General Sherman had been in the South before the war and understood better than almost any other northern man the character of the conflict that would follow secession. He was appointed in 1861 to the district covering most of Kentucky. When he asked for 60,000 troops at once with the idea of increasing his army to 200,000, the report became general, "Sherman is crazy," and he was removed. Had the war department been wise enough to appreciate the sanity of his views, the war would have been shortened greatly. Sherman combined caution with aggressiveness and displayed as great skill in conducting his campaigns as any other general perhaps on the Union side.

troops to make a direct attack, which was unsuccessful; but he, as well as Johnston, avoided regular battles. Considering the skill with which both sides conducted all operations, this may be considered the best-managed campaign of the war.

Atlanta.

Johnston was finally compelled by equal generalship and superior numbers to take refuge beyond the Chattahoochee River after a two months' campaign. As Johnston had never had the confidence of President Davis, he was removed and his place filled by Hood, who was preëminently a fighter. Hood attacked the Union army repeatedly, several times when everything seemed favorable to him, but he was beaten constantly. Sherman was detained a month before Atlanta, but when Hood saw that the city was doomed, he withdrew his army. Sherman at once destroyed all of the factories which had provided military supplies for the Confederate armies.

Dodge, *Civil War*, 255–262.

The "hammering campaign."

363. Grant in Virginia (May–July, 1864). — Grant's task was of greater difficulty than Sherman's, chiefly because of the great ability of his opponent and the remarkable spirit of Lee's soldiers, although the latter's army was much smaller than that of Grant. In some respects the natural obstacles encountered by Grant were more serious than those of Sherman, but he did not have half the difficulty of maintaining communication with his base of supplies. Grant stated that he would "fight it out on this line if it takes all summer." He started a "hammering campaign" which began in the Wilderness early in May and continued for about six weeks. With terrific blows he massed his troops and hurled them against Lee's lines, only to be driven back invariably. Combined with these fierce attacks he kept moving part of his army to the east and rear of Lee, forcing him to abandon one position after another. The result was the same in the Wilderness, at Spottsylvania, and at North Anna, until the armies faced each other at Cold Harbor, less than ten miles from Richmond. Here Grant attempted to carry Lee's position by direct assault, but the loss of one tenth of his men in

Rhodes, *United States*, IV, 440–448.

Dodge, *Civil War*, 197–208, 213–222.

Battles and Leaders, IV, 118–144.

Hosmer, *Outcome of Civil War*, Chapter VI.

ten minutes tells the story of slaughter and defeat. As he could make no headway, Grant moved his army across the James and invested Petersburg, which it was necessary to wrest from Lee before Richmond could be taken. Another direct assault following the explosion of a mine led to further bloodshed. In less than three months Grant lost more men than there were in Lee's army at the beginning of this titanic struggle, but the great Confederate captain had lost only one third as many. Grant had gained ground, but the honors of war were with his opponent.

Close of the War (July, 1864–April, 1865)

364. The Shenandoah Valley; Hood in Tennessee. — During the summer of 1864, the Confederate leaders tried to loosen Grant's bull-dog grip on the defenses of Richmond (§ 363) by threatening Washington. Later they tried to draw Sherman away from Atlanta (§ 362) by dispatching Hood into Tennessee. Both of these movements failed to divert the determined Union commanders from carrying out their main plan.

Attempts to draw off Grant and Sherman.

In July, 1864, Early was sent to the Shenandoah and advanced to the defenses of Washington, which was defended by home guards only. But reënforcements arrived and Early withdrew. Grant sent Sheridan to meet Early and later agreed that he should lay waste the valley, so that it could not be used for military operations. Early was driven from the Shenandoah, which was devastated completely. He returned, however, and nearly succeeded in defeating Sheridan's superior force, the magnetism of Sheridan's personality alone restoring victory after his famous ride from Winchester.

Early and Sheridan in the Shenandoah.

Dodge, *Civil War*, 269–278.

Battles and Leaders, IV, 500–521.

Hood was disappointed when Sherman sent only a part of his force to protect Tennessee, while he kept the rest at Atlanta. Hood swung around through Alabama and advanced to central Tennessee. Here he was confronted by Thomas, who was gathering additional troops at Nashville.

Nashville.

Dodge, *Civil War*, 279–285, 293–301.

When he was ordered to attack Hood, Thomas offered to give up his command, but refused to advance until he was ready. The middle of December, Thomas attacked. Hood's army was almost annihilated, and all danger to the Union in the West was averted.

The march to the sea.

Dodge, *Civil War*, 286–292.

Rhodes, *United States*, V, 7, 15–31.

Hosmer, *Outcome of Civil War*, Chapter XII.

Dodge, *Civil War*, 302–309.

Rhodes, *United States*, V, 85–91, 100–107.

365. Sherman in Georgia and the Carolinas. — When Sherman left Atlanta in November, 1864, he did not attempt to maintain a line of communications *via* Chattanooga, but, starting with a fair supply of provisions, planned to live on the country. His army of 60,000 marched in nearly parallel columns, separating between towns, converging at all important places. All railways along the line of march were destroyed, the rails being rendered useless by heating them at bonfires and twisting them into fantastic shapes. Although there was no intention of destroying private property except for food, and positive orders to that effect were issued, the people suffered severely. Not only was their stock driven off and their grain seized or destroyed, but a great deal of damage was done to houses, barns, and furniture. This was inevitable. The march was an act of war to cripple an enemy and it was not always easy to prevent excesses. It was thought that Sherman would reach Augusta and then march north to coöperate with Grant, but no news came from him until he reached the coast near Savannah. That city he captured December 20, so that, as he said, he offered it as a Christmas present to the President.

Sherman in the Carolinas.

Leaving Savannah in January he advanced to Columbia, and after burning the factories, stores, and supplies at that point, proceeded northeasterly into North Carolina. Wilmington had already fallen into Union hands and Charleston was abandoned when Sherman reached Columbia, so that the Confederacy was reduced now to a strip but three hundred miles in length and much narrower, Lee holding the northern end and Johnston, again in command, striving ineffectually with 25,000 men to check Sherman's advance.

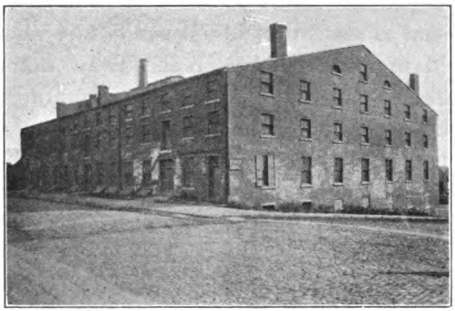
366. The End of the War. — At Petersburg Grant and Lee spent the fall and winter trying to gain some advantage

over the other, without result. With spring Grant was able to continue his lines farther to the south and west, hoping to cut off Lee's retreat. He accomplished his purpose at length when Sheridan captured Five Forks on the railway in Lee's rear. Lee, forced to abandon Petersburg and Richmond, marched toward the mountains, hoping also to join Johnston; but his soldiers were starving, and at Appomattox Court House, April 9, the 30,000 survivors of his army surrendered to Grant. The simple soldier refused to keep the sword of his courtly opponent and the closing experiences of the campaign were marked by acts of kindliness and unselfishness worthy of two commanders who were not only great captains but noble men. Johnston surrendered to Sherman two weeks later, and with the capture of isolated bands the great struggle came to a close.

Surrender of Lee and Johnston.

Dodge, *Civil War*, 310–319.

Battles and Leaders, IV, 708–722.



LIBBY PRISON

In all history there is no record of any national contest greater than this. For four years those who wished to preserve the Union had given freely of men and money. With courage and determination they had pressed back their opponents, step by step, until there was nothing left to defend. It has been said that the secession movement was one of leaders and not of the people. If the events of the winter of 1860–1861 do not disprove this, certainly the later years show that the South was united as few nations ever have been. Her soldiers fought with courage equal to that of their brothers in the North. But all of the advantage of inside lines, campaigning on their own soil, and skillful leadership could not counterbalance the greater numbers and the in-

Results to the South.

finitely greater resources of the free North. The South had sacrificed everything on the altar of slavery and state sovereignty. It was almost a case of all is lost save honor.

Lincoln's supporters and opponents.

367. The People and Lincoln's Government. — During the critical years of the war, Lincoln was fortunate in having the support of Congress and of the North. His wisdom in insisting from first to last that his sole purpose was to save the Union did much to gain the goodwill of the Democrats. The earnestness with which the great body of that party supported the war was due even more to the fervent appeals of Douglas and other Democratic leaders, who insisted that the question was one purely of patriotism and not of politics. Nevertheless there was a large number of persons at the North who desired peace above everything else. Many of these men opposed the arbitrary acts of the President. Prominent among the critics of the government was congressman Vallandigham of Ohio, who was arrested (1863), denied the privilege of the writ of *habeas corpus*, tried by a military tribunal, and banished to the South.

Cambridge Mod. Hist., 573–575.

Rhodes, *United States*, IV, 223–230.

Election of 1864.

The election of 1862 had decreased the number of Republicans in the House of Representatives, although it left the Republicans in control of both houses. As the time for election approached (1864), it became evident that the discontented members of both parties would try to prevent the reëlection of Lincoln; but as the campaign progressed, party differences were forgotten and from all sides people rallied to the support of the President. The Democratic candidate, General George B. McClellan, was nominated on a platform which declared that the war was a failure and that peace should be made at once, views which McClellan did not countenance. For the second place on the ticket with Lincoln, Andrew Johnson of Tennessee, a Union Democrat, was selected. McClellan carried only three states, and gained 21 electoral votes to 212 for Lincoln, although Lincoln's popular majority was only 400,000 in a total vote of 4,000,000.

Johnson, *War of Secession*, 468–480.

Stanwood, *Presidency*, Chapter XXII.

Hosmer, *Outcome of Civil War*, Chapter IX.

Death of Lincoln.

Six weeks after the second inauguration, and but five days after Lee surrendered to Grant, Lincoln was struck down by

an assassin. In the midst of rejoicing over the return of peace, the nation lost the leader who had grown great under the heavy duties of his position. Lowell spoke truly when he called Lincoln,

> "The kindly-earnest, brave, foreseeing man,
> Sagacious, patient, dreading praise, not blame,
> New birth of our new soil, the first American."

First half of the war.

368. Summary of the Campaigns. — When the war began the armies of the Confederate states controlled not only the territory of the eleven seceding states, but one half that of Missouri, Kentucky, and western Virginia. The North had possession of Fort Monroe in Virginia and Fort Pickens and Key West in Florida. In the fall of 1861 northern troops occupied the Ohio, which might be called the first line of Confederate defense. Early in the spring of 1862, by victories at Pea Ridge, Island No. 10, and Donelson, they seized the second line of defense and gained entire control of the border states. Later in 1862 they broke through the third line of Confederate defense by capturing Memphis on the Mississippi and Corinth on the railways farther east. At the same time they gained a foothold on the lower Mississippi by capturing New Orleans, but were repulsed before Richmond and compelled to withdraw from the "peninsula." The Confederates then assumed the offensive, Lee defeating the Union troops at Bull Run and then invading Maryland, Bragg at the same time invading Kentucky. These invasions failed, although the Confederates regained some of the territory that they had lost.

Second half of the war.

After two great victories over the army of the Potomac, Lee again invaded the North, but was defeated at Gettysburg in July, 1863, at the same time that Grant captured Vicksburg by attacking from the rear. In the fall of 1863 Union troops, after successive defeats and victories, gained possession of Chattanooga, Sherman in 1864 pushing on to Atlanta; while Grant, by hard fighting and maneuvering, was forcing Lee south through Virginia. While Grant

was hammering away at Lee's lines at Petersburg, Sherman gained control of Georgia and South Carolina. Lee and Johnston now attempted to join and avoid being caught between Grant and Sherman, but they were unable to unite and surrendered separately.

Cost of the war.

369. Conclusion. — The question is asked sometimes whether the result justified the cost. As the result must be measured by the destruction of slavery and the perfection of national unity, while the cost may be reckoned in human lives [1] and billions of dollars,[2] no satisfactory answer can be given. Certainly the unification of the nation was an end beside which the appalling money cost of the war is comparatively insignificant. In human lives the price was too dear if this terrible conflict could by any possibility have been avoided.

Larned (ed.), *Ready Ref.*, V, 3559-3560.

Blaine, *Twenty Years of Congress*, I, 549-562.

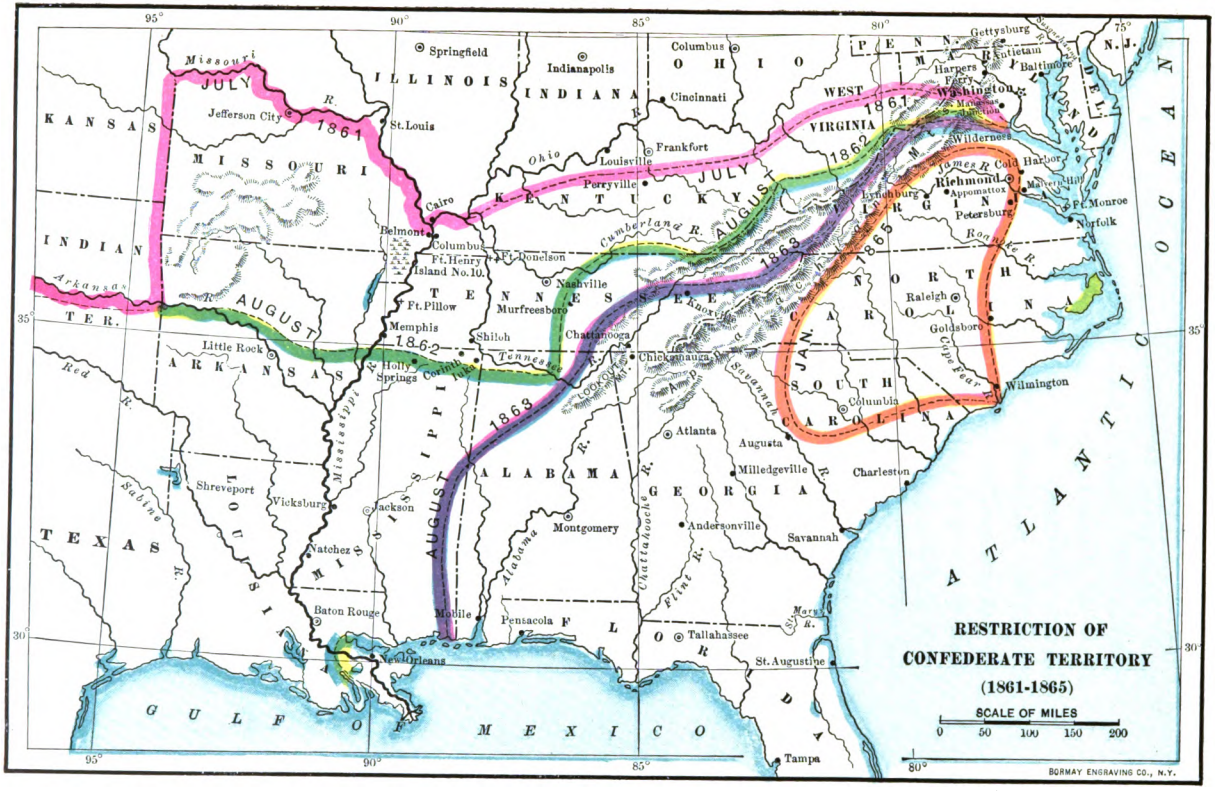
Return to peace.

Among the most serious results of all great wars are the extravagance they produce and the idleness and recklessness they develop. The direct wastes of the war, the unreasonable prices paid for poor food and inferior uniforms constituted a large item in the government's bill of expenses. After the lavish expenditures of the war it was difficult for the government and the people to return to the simple ways of the past. No nation, however, has suffered so little from the disbanding of great armies as we did after 1865. Most of the Confederate troops were paroled at once, and before December, 1865, more than 500,000

Rogers, *Devt. of North*, 31-34.

[1] The loss of life on the Union side is reported at 359,528; that of the Confederates was probably little less. Besides this number we should count the hundreds of thousands who were crippled for life because of wounds, or diseases due to the hardships of the war.

[2] The debt of the United States at the close of the war was two and three fourths billions; but to this must be added about $750,000,000 raised by taxation during the war, besides the interest on the debt and amounts paid for pensions since 1865. The aggregate cost to the national government has been nearly eight billions. If we add to this the cost to the separate states of the Union, the cost to the Confederacy, the value of property destroyed, the direct losses due to injury to business, the depreciation of paper currency, and other losses, we should obtain a sum very much greater than the total assessed valuation of property in the loyal states in 1860.


RESTRICTION OF
CONFEDERATE TERRITORY
(1861-1865)
SCALE OF MILES
0 50 100 150 200
BORMAY ENGRAVING CO., N.Y.
ATLANTIC OCEAN
GULF OF MEXICO
KANSAS
MISSOURI
INDIAN TER.
ARKANSAS
TEXAS
LOUISIANA
MISSISSIPPI
ALABAMA
GEORGIA
FLORIDA
SOUTH CAROLINA
NORTH CAROLINA
VIRGINIA
WEST VIRGINIA
KENTUCKY
TENNESSEE
ILLINOIS
INDIANA
OHIO
PENN.
MARYLAND
DEL.
N.J.
JULY 1861
AUGUST 1862
JULY 1863
AUGUST 1863
JAN. 1865
Missouri R.
Arkansas R.
Red R.
Sabine R.
Mississippi R.
Ohio R.
Cumberland R.
Tennessee R.
Alabama R.
Chattahoochee R.
Flint R.
Savannah R.
Cape Fear R.
Roanoke R.
James R.
Rappahannock R.
Susquehanna R.
St. Marys R.
Springfield
Indianapolis
Columbus
Cincinnati
Jefferson City
St. Louis
Louisville
Frankfort
Perryville
Cairo
Belmont
Columbus
Ft. Henry
Island No. 10.
Ft. Donelson
Nashville
Murfreesboro
Ft. Pillow
Memphis
Shiloh
Chattanooga
Knoxville
Little Rock
Holly Springs
Corinth
Iuka
Chickamauga
Atlanta
Augusta
Milledgeville
Charleston
Columbia
Wilmington
Raleigh
Goldsboro
Wilderness
Richmond
Cold Harbor
Appomattox
Lynchburg
Petersburg
Ft. Monroe
Norfolk
Harpers Ferry
Washington
Gettysburg
Antietam
Baltimore
Manassas Junction
Shreveport
Vicksburg
Jackson
Natchez
Baton Rouge
New Orleans
Mobile
Montgomery
Pensacola
Andersonville
Savannah
Tallahassee
St. Augustine
Tampa
95°
90°
85°
80°
75°
35°
30°

Union soldiers had been disbanded, the army being reduced soon after to a peace footing of 25,000 men. Very few of these men joined the ranks of idlers. The southerners returned to their plantations, all of which had been neglected and many of which were practically ruined. The northerners rejoined the ranks of workers and enjoyed the prosperity of a period of unusual business activity. Numerous associations were organized to continue the comradeship begun during the war, notably the Grand Army of the Republic. These organizations of old soldiers have been an important influence in the life of the nation.

TOPICS

1. CAPTURE OF NEW ORLEANS: Fiske, "Mississippi Valley in the Civil War," pp. 111–132; Mahan, "The Gulf and Inland Waters," pp. 52–90; "Battles and Leaders of the Civil War," II, pp. 13–102.

2. GETTYSBURG: Burgess, "Civil War and Reconstruction," II, pp. 157–179; Wood-Edmonds, "Civil War in United States," pp. 215–246; Johnson, "War of Secession," pp. 248–269; Doubleday, "Chancellorsville and Gettysburg," pp. 87–210.

3. VICKSBURG CAMPAIGN: Fiske, "Mississippi Valley," pp. 221–247; Wood-Edmonds, "Civil War," pp. 247–273; Sherman, "Memoirs," I, Chapter XII; Grant, "Personal Memoirs," I, pp. 250–337; Greene, "The Mississippi," pp. 91–208; "Battles and Leaders," III, pp. 462–598.

STUDIES

1. The navy on the upper Mississippi (1862). (Mahan, "Gulf and Inland Waters," pp. 9–51.)

2. Incidents of a campaign. (Hart (ed.), "Contemporaries," IV, Nos. 86–88, 90.)

3. Personal experiences in the Civil War. ("Battles and Leaders," II, pp. 153–159, 189–199.)

4. Morgan's raid. (Cox, "Reminiscences of the Civil War," I, pp. 491–509.)

5. The draft riots in New York. (Johnson, "War of Secession," pp. 290–306.)

6. The fight for Round Top. ("Battles and Leaders," III, pp. 318–330.)

7. Greeley's estimate of Lincoln. (*Century*, 42 (1891), pp. 371–382.)

8. Vallandigham's opposition to the government. (Johnston (ed.), "American Eloquence," IV, pp. 82–92.)

9. The battle of the Crater. (Wise, "End of an Era," pp. 346–371.)

10. Spirit of the North (1864–1865). (Hosmer, "Outcome of the Civil War," Chapter XV.)

11. Spirit of the South. (Hosmer, "Outcome," Chapter XVI.)

QUESTIONS

1. At what points was the South most vulnerable? Was the Union plan of campaign the one best suited to the conditions? Show the importance of Cairo, Corinth, Vicksburg, Chattanooga.

2. Could the war have been ended by the capture of Richmond in 1862? Why was the possession of New Orleans of value to the Union armies in Tennessee? Show the importance of the navy in the western campaigns.

3. Why did Lee attempt to invade the North? Why did he fail in each case? Were his northern campaigns conducted with less skill than that in Virginia in 1864?

4. Were the burning of Atlanta and the devastation of the Shenandoah valley justified? What was the real importance of Sherman's march to the sea?

5. Could the cost of the war in men or money have been reduced easily? Did the results of the war justify the cost? How was the Union different in 1865 from what it had been in 1861?

CHAPTER XVIII

POLITICAL RECONSTRUCTION

PRESIDENTS

Andrew Johnson (1865–1869) Ulysses S. Grant (1869–1877)

370. Lincoln, Johnson, and Reconstruction. — Less than a week after Lee surrendered to Grant at Appomattox Lincoln was dead. His assassination, which was part of a plot to kill Johnson, Seward, and Grant also, was most unfortunate for the nation, since the problems of reconstruction were but little less serious than those of the war. In fact there was greater need that the president possess tact and skill in dealing with men after the war than during its prosecution. While there was danger from southern armies, the nation rallied around the President, overlooked his mistakes, and gave him its united support. Congress had acquiesced, gracefully on most occasions, in the unusual acts of Lincoln and had allowed him a free hand even when he used powers that were legislative in character. The close of the war changed the situation radically.

Lincoln and Congress.

Cf. Rhodes, *United States*, V, 139–150.

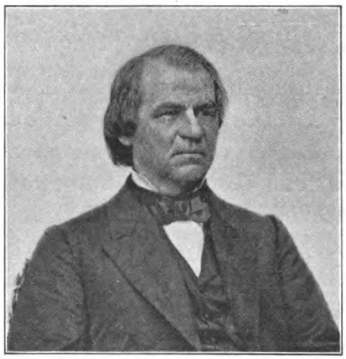
Having been unselfish during the war, Congress was more jealous of its prerogatives in the period following. It did not propose to allow the president to settle questions which belonged in any respect to the legislative department. When we consider the delicacy of the problems — the way the seceding states should be treated, the attitude of the national government toward those who had taken part in the rebellion, more than all, what should be done for and with the blacks — we can realize that there should have been perfect harmony between the president and Congress. Lincoln could have preserved cordial relations with the law-making branch of the government, for he possessed the

Situation at the close of the war.

confidence of Congress and the people. He understood the situation as well as any one; he had become preëminently a leader of men. That his reputation may have suffered had he lived is unquestioned. But when he left the great duties of his office to his subordinate, the nation lost as much as his reputation may have gained.

Andrew Johnson.

Andrew Johnson had been selected for the second place on the Republican ticket because he was an earnest Union Democrat, a southern man who had been loyal. Deprived of early advantages, he had educated himself late in life, and, by the force of a powerful personality, had risen step by step until accident placed him in the president's chair. But he possessed few qualities to commend him to the great office even in ordinary times. Although a man of unusual intelligence and will power, he was tactless and vindictive, intemperate in thought, speech, and act, the opposite in almost every respect of the man whose place he took, whose cabinet he retained, whose policy he adopted, whose popularity for a time covered his most glaring defects.



ANDREW JOHNSON

Rhodes, *United States*, V, 517–526.

RECONSTRUCTION (1865–1870)

Three problems.

371. The Problem of Reconstruction. — When the war closed, the national government was forced to find solutions for three problems: (I) What should be done with the slaves? (II) How should those persons who had belonged to the Confederacy be treated? (III) How should the Confederate states be restored or reconstructed?

Hicks.

(I) South and North agreed that slavery should be abol-

ished. The slaves had been freed by the emancipation proclamation (§ 356) in part of the South, but slavery had not been abolished during the war except in Maryland, although both West Virginia and Missouri had provided for gradual emancipation. The thirteenth amendment to the national Constitution, abolishing slavery throughout the United States, was passed by the necessary two thirds in each house of Congress in January, 1865, and ratified by more than three fourths of the states, North and South, by December, 1865. It gave Congress the right to prevent the reëstablishment of slavery. This was only the beginning of legislation for the blacks, as the protection of the freedmen was the ostensible cause of most of the reconstruction legislation.

MacDonald, *Statutes*, Nos. 28, 48.

(II) Most of those who had taken part in the war against the government of the United States were allowed to resume their normal rights as citizens on taking an oath to support the Constitution of the United States and abide by its laws. Those high in civil or military authority were debarred until 1868, when President Johnson declared a complete amnesty for all who had participated in the rebellion. Congress, which had claimed the right to control this subject of amnesties, prevented most of those important persons from holding any office, state or national, until several years later.[1]

Southerners.

Johnston, *Am. Pol. Hist.*, II, 484–487.

MacDonald, *Statutes*, Nos. 46, 75, 94.

(III) Legally and theoretically the greatest difficulties of this period were presented by the questions: What was the status of the Confederate states? Were they in the Union or out of the Union? To admit that they were out of the Union would have been to acknowledge the right of secession, the success of secession, or both. If it was claimed that they were in the Union, there was really no "reconstruction" problem, only need of restoration of the states to their normal relations with their sister states.

Status of the seceding states.

372. Status of Seceding States. — Several theories were developed, soon after 1865, presenting different points of view. The *southern* and the *presidential* theories agreed

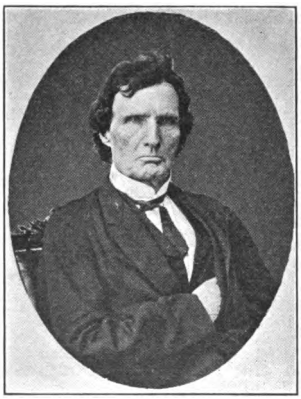
Theories as to the status.

[1] The fourteenth amendment gave Congress this power.

Dunning, *Reconstruction*, 99–112.

Hart, *Contemporaries*, IV, Nos. 145–149.

that the states were still parts of the Union, but out of their constitutional relations to the central government. They stated that restoration should take place through action of the people of each state, under limitations prescribed, according to the first, by those people; according to the second, by the president. Charles Sumner held the theory that when a state tries to secede, it commits *suicide* as a state, and becomes merely a part of the territory of the Union under its control in regard to local, as well as national, affairs, *i.e.* the states reverted to the condition of territories. Thaddeus Stevens went further, and in the *conquered province theory* advocated the view that the South was not even in the condition of territories; that it was a conquered district. He therefore proposed wholesale confiscation and appropriation of land to negroes. This suggestion was the basis of the doctrine that every freedman should have forty acres and a mule.



THADDEUS STEVENS

Congressional plan of reconstruction.

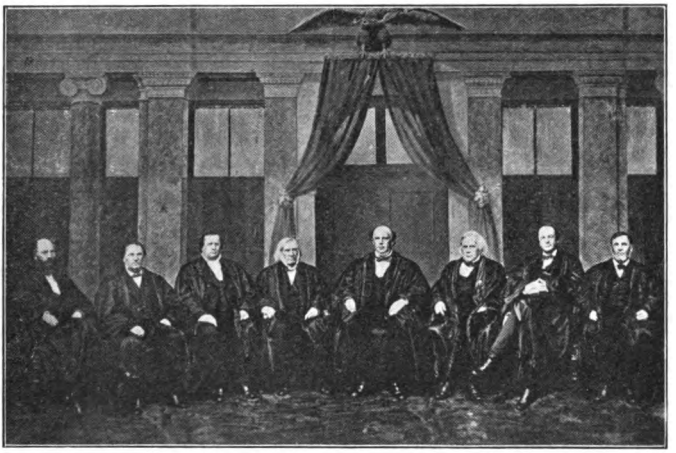
As none of these theories was acceptable to moderate men, the theory of *forfeited rights* came to be the basis of final reconstruction. It held that the people of the states had forfeited their rights by attempted secession, and that those rights could be restored to them only on the fulfillment of certain conditions. The judge of what the conditions should be, and when they had been fulfilled, was Congress, because Congress was instructed by the Constitution to guarantee to each state a republican form of government. This theory was upheld by the Supreme Court of the United States in the case of *Texas* v. *White* (1868).

373. **Restoration under Johnson (1865).** — President Lincoln and his successor, President Johnson, were anxious

to have the seceded states restored to their constitutional relations as soon as possible. To this end they used their power as commanders in chief to grant amnesties and pardons, and, in addition, declared that when a state government had been formed by loyal voters equal to one tenth of the whole number of voters in 1860, they would recognize

The presidential plan in operation.

Johnston, *Am. Pol. Hist.*, II, 434–439.



THE SUPREME COURT
(During the Reconstruction Period)

such a government and declare the state fully restored. This plan which Lincoln had formulated Johnson put into operation.[1] When Congress assembled in December, 1865,

Dunning, *War and Reconstruction*, 75–83.

[1] The states of Louisiana, Arkansas, and Tennessee had reorganized their governments in accordance with Lincoln's instructions before the close of the war. In Virginia there had been for years a loyal government which claimed to be the legal government of the state. This was accepted by both Lincoln and Johnson as the regular government of Virginia. In the other states that had attempted to secede from the Union, the President appointed, during the summer of 1865, provisional governors, under whom the work of reorganization or restoration was to be performed. In most of these states conventions were called without delay. Those persons were allowed to vote who were included in the amnesty proclamations of the president, and the conventions were allowed to decide who might vote thereafter in the state or hold any office.

Burgess, *Reconstruction*, 35–41.

the president announced that regular state governments had been restored in all of the southern states but two.

Opposition in Congress.

Johnston, *Am. Pol. Hist.*, II, 446–452.

Rhodes, *United States*, V, 549–556.

Congress immediately appointed a joint committee on reconstruction to decide all questions regarding the states that had tried to secede. Opposition to the President's plan of restoration developed at once, not simply because Congress believed that it had the right to decide the conditions under which reconstruction should be allowed, but because little of importance would be accomplished by the war if the southern states were restored to the Union and allowed sole control over the blacks. This danger was real to most of the congressmen, for they desired to give the former slaves not only freedom but the suffrage as well. The thirteenth amendment forbidding slavery was adopted in December, 1865, but at the same time came alarming reports from all parts of the South that the restored states were reënslaving the blacks.

Southern apprenticeship laws.

Burgess, *Reconstruction*, 45–55.

Hart, *Contemporaries*, IV, Nos. 143, 151.

374. Freedmen Legislation. — Most of the southern states, proceeding on the assumption that Johnson's plan of restoration had reëstablished their position in the Union, passed, during the fall of 1865 and the following winter, apprenticeship and vagrancy laws for the freedmen. All colored minors were to be apprenticed, if possible, to their former masters. All negroes who were not employed, or who were guilty of attending meetings, were deemed vagrants and their services were sold to the highest bidder. To Congress and to the majority of the people of the North these laws seemed to establish a new form of slavery that would be perfected when the states were unquestionably again in the Union. Congress was induced to pass several laws for the purpose of protecting the blacks and to delay reconstruction until definite and permanent guarantees had been secured which would protect the blacks from their former masters.

Second Freedmen's Bureau Bill.

The first of these laws was the second Freedmen's Bureau Bill. In March, 1865, the Freedmen's Bureau had been created for the war and a period of one year thereafter to

provide food, clothing, and shelter for needy freedmen and to apportion vacant lands for their use. The new bill (February, 1866) created an organization that had an agent in every county in the South. No time limit was designated, and the powers of the bureau were enlarged so that its agents looked after not only destitute negroes but every freedman. The agent was really a judicial officer who could try cases where a negro's rights had not been respected by the whites, or where a black had been punished with unnecessary severity. To leave such vague yet extensive power in the hands of an agent of the central government in recently conquered territory was of course a dangerous procedure. The bill was vetoed by Johnson, on the grounds that it was a war measure applied to territory in which peace had been restored fully, and that the central government had no authority to exercise jurisdiction in this way. The bill failed to obtain the necessary two thirds to make it a law at this time, but four months later a more severe bureau bill was passed over the President's veto.

MacDonald, *Statutes*, No. 51.

Rhodes, *United States*, V, 568–574.

Burgess, *Reconstruction*, 64–67, 87–90.

375. Civil Rights Bill and Amendment XIV (1866). — Although the radicals in Congress may have desired the humiliation of the South, the majority wished simply to protect the negroes. Those in power in Congress decided that this could be secured only by changes in the national law and Constitution which the states could not alter. This led to the enactment in April, 1866, of a Civil Rights Bill which declared that persons born in the United States were citizens of the United States and that they had the right to make and enforce contracts, to protect themselves in the courts, to acquire and dispose of property. There was to be no discrimination under the civil or criminal law on account of race or color. The President naturally vetoed a bill that not only changed the status of the negroes so materially, but which took from the states powers that had been exercised by them since the formation of the Union. Congress passed the bill over his veto (April, 1866), showing that the Republicans had broken completely with Johnson.

Civil Rights Act.

MacDonald, *Statutes*, No. 50.

Burgess, *Reconstruction*, 68–73.

Rhodes, *United States*, V, 583–587.

Fourteenth amendment.

Johnston, *Am. Pol. Hist.*, II, 454, 467.

Burgess, *Reconstruction*, 73-80.

Soon after it was decided to combine in a single amendment to the United States Constitution the principles of the Civil Rights Act and other articles which would embody important results of the recent war. In its final draft this most important amendment was as follows: (1) It defined United States citizenship. "All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside." It protected the rights of these citizens. (2) When a state denied to any men who were citizens of the United States the right to vote, the state should lose a number of representatives in the lower house of Congress in proportion to the number of citizens excluded from voting. (3) Persons who had broken their oaths to support the Constitution of the United States should be allowed to hold state or national office only by a two thirds vote in the houses of Congress. (4) The validity of the United States war debts was affirmed, those of the Confederacy and seceding states were declared illegal and void.

Provisions of the acts.

MacDonald, *Statutes*, Nos. 56, 62, 64, 67.

Johnston, *Am. Pol. Hist.*, II, 462-465.

376. Military Reconstruction (1867-1870). — As the fall elections in 1866 increased the Republican majority in both houses of Congress, the plans of the leaders were perfected and enacted into law early in 1867. The Military Reconstruction Acts[1] provided that the ten unreconstructed states[2] of the South should be divided into five military districts, each of which was to be controlled by a general of the army. (1) These generals were to enroll in each state as voters all men over twenty-one, without regard to color, except those debarred for participation in rebellion. (2) The voters should elect a convention that should adopt a state constitution, one part of which must provide for manhood suffrage. (3) This constitution must be ratified by the registered voters, and approved by Congress. (4) The legislature elected under this constitution must ratify the fourteenth amendment. During this process of recon-

[1] Acts of March 2, March 23, and July 19, 1867.

[2] Reconstruction had been completed in Tennessee in 1866.

struction the general had almost arbitrary power, including even the right to set aside state or local laws or remove officials. When it was completed, the state was "readmitted" to the Union.

Reconstruction under the acts.

It was found that less than ten per cent of the men were excluded from voting, although of course all of the former leaders were debarred. The black voters outnumbered the whites in five states, but in only two states did the blacks have a majority of the delegates to the conventions, although the friends of reconstruction controlled the situation in most of the states. Reconstruction was completed before July 1, 1868, in North Carolina, South Carolina, Florida, Alabama, Louisiana, and Arkansas. The other four states — Virginia, Georgia, Mississippi, and Texas — were obliged to accept the fifteenth amendment as well before reconstruction was completed and their representatives were admitted to Congress. This unwise amendment made negroes voters on the same terms as whites throughout the United States. In this way the plan of protecting the negroes was perfected, since the thirteenth amendment had given them freedom and the fourteenth had made them citizens.

Johnston, *Am. Pol. Hist.*, II, 465-471.

MacDonald, *Statutes*, Nos. 68, 69, 76, 81, 82, 83, 89.

Incidents of the Reconstruction Period (1867–1877)

Quarrel between the President and Congress.

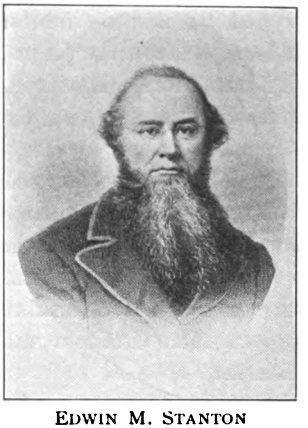
377. The Impeachment of Johnson. — The difference of opinion existing between the President and Congress on the subject of reconstruction developed rapidly into a quarrel, after his veto in February, 1866, of the second Freedmen's Bureau Bill. The President publicly criticised Stevens and other reconstruction leaders and by this attitude won not only the dislike of all the leaders in Congress, but lost the support of the moderate Republicans who had been unwilling to break with the President. As the Republicans had a two thirds majority in both houses of Congress, all bills relating to the reconstruction plan of Congress were passed over Johnson's veto. When the election of 1866 increased the opposition in Congress to the President, he made a trip through the North, called "swinging round the circle,"

Cambridge Mod. Hist., VII, 628–630.

Wilson, *Division*, §§ 129–131.

Johnston, *Am. Pol. Hist.*, II, 460, 461.

on which he attacked the Republican leaders and declared that Congress was "no Congress," because the southern states were unrepresented. In March, 1867, Congress had its revenge. (1) It passed the drastic military reconstruction acts over the President's veto. (2) It limited the president's control of the army as commander in chief by compelling him to issue all orders through the general of the army. (3) It passed the famous Tenure of Office Act which prevented the president from removing officials from office without the consent of the Senate.[1] (4) Finally, it adjourned March 4, 1867, to meet, the same day, as the fortieth Congress.



EDWIN M. STANTON

Tenure of Office Act.

MacDonald, *Statutes*, No. 57.

The members of Congress believed that without these acts the President would use the great power of his office, especially his control of the patronage, to defeat their reconstruction policy. The more radical members, in fact, desired the removal of the President, so that the president *pro tempore* of the Senate might become acting chief executive. The Tenure of Office Act precipitated the quarrel. Johnson attempted to remove his secretary of war, Stanton, who had been dictatorial and refused to resign. Stanton denied that the President might remove him and defeated every attempt to gain possession of his office. The House of Representatives eagerly seized upon the attempt to remove Stanton as a sufficient pretext for impeaching the President, which it did in February, 1868. The trial before the Senate lasted about six weeks, Chief Justice Chase of

Johnston, *Am. Pol. Hist.*, II, 499–501.

Impeachment and trial.

MacDonald, *Statutes*, No. 66.

[1] The Constitution requires the consent of the Senate in appointments, but is silent on the subject of removals. Since 1789 the president had exercised sole power of making removals.

the Supreme Court presiding, as the Constitution prescribes when a president is tried. The excitement was intense, tremendous pressure being brought to bear on the Republican senators who did not believe the President to be guilty of "high crimes or misdemeanors." When the vote was taken, it was learned that thirty-five senators stood for conviction and nineteen for acquittal, one less than the two thirds required for removal from office.

Johnston, *Am. Pol. Hist.*, II, 499–505.

378. **Carpetbag Government in the South.** — In almost all of the states the reconstructed governments were controlled by the negro voters. A large proportion, perhaps a majority, of the offices were held by northerners who had settled in the South at the close of the war. Some of these men were adventurers in search of wealth and power, who, at the beginning, carried their possessions in home-made carpetbag grips. Under the rule of such men, with such supporters, conditions were ideal for misgovernment and corruption. Although the South was impoverished, it furnished rich pickings for these social vultures. Taxes became so heavy that they often exceeded the gross value of the crops. Thousands of fine plantations and magnificent halls were sold because the owners were unable to carry the heavy burdens placed upon them. The people were often subjected to insult and oppression at the hands of ignorant and greedy rulers.

Misgovernment in the South.

Johnston, *Am. Pol. Hist.*, II, 471–475.

Hart, *Contemporaries*, IV, No. 157.

Andrews, *Our Own Times*, 112–122.

The young and reckless southerners sought relief by organizing a secret society known as the Ku Klux Klan, the ostensible purpose of which was the intimidation of the negro voters. Nightly visitors robed in white called at negro cabins and terrified the superstitious blacks. But the more violent whites did not stop with that. There was great temptation to end the misrule by resort to torture and murder. At length the national government interfered, passing in 1870 and 1871 two force acts which permitted the use of the United States army to uphold the reconstruction governments and protect them from their enemies.

Ku Klux Klan.

Johnston, *Am. Pol. Hist.* II, 487–492.

Burgess, *Reconstruction*, 250–261.

After 1872, when the last of the Confederate leaders

Results of carpetbag government.

were pardoned, the whites gradually regained control of their state and local governments. South Carolina and Louisiana, both of which had a large majority of negroes, were the last to establish white rule, after several years of bitter partisan warfare. In Virginia and the other states in which the whites predominated, carpetbag government had never secured a serious hold, but in Louisiana, for example, the results of misgovernment can be measured in part by the terrible financial condition of the state. For several years the average annual expenditures of the state government were six millions, and in four years the debt of the state had increased from less than seven millions to more than forty millions. What those figures represented cannot be imagined easily; they cannot be described in such a text as this at all.

Burgess, *Reconstruction*, 247–249, 261–264.

Andrews, *Our Own Times*, 122–130.

Fraud and extravagance.

379. **City Government and Corruption.**—One of the most distinctive political features of American history in the decade following the Civil War was the prevalence of corruption in all of our governments, national, state, and city. Aside from the carnival of misrule in the South under carpetbag government there was a greater amount of bribery, fraud, and theft in some of our larger northern cities than elsewhere. During these years the cities grew rapidly, but the increase in the number of duties they performed far outstripped the increase in population. Franchises were given freely by the cities to private corporations which furnished water or gas, or operated street railways. These franchises were often of great value and continued in force for very long periods. The amount of money required for necessary expenditures was much greater than formerly, and most of our city governments unfortunately fell into the hands of ignorant and corrupt politicians.

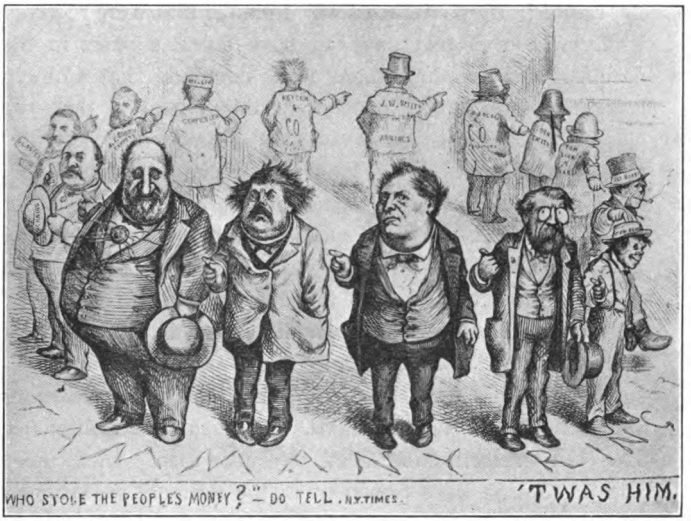
Tweed ring in New York.

New York suffered so much more than any other city that she seemed to be in a class by herself. A ring of politicians under the lead of "Boss" Tweed gained control, and, by systematic theft covering a number of years, robbed the city of a sum probably little less than $100,000,000. Public

Andrews, *Our Own Times*, 11–16.

attention was centered on the ring by the striking cartoons of Thomas Nast, which appeared in *Harper's Weekly*. When the New York *Times* published definite information regarding thefts by the ring, public-spirited men like Samuel Tilden devoted their attention to bringing the leaders to justice. A number of Tweed's associates were convicted, and the boss died in jail several years later.

Rhodes, *United States*, VI, 392–410.



From *Harper's Weekly*, by permission.

NAST'S FAMOUS TWEED RING CARTOON

380. The Administration of Grant (1869–1877). — Although General Grant had had no experience in public affairs he was the unanimous choice of his party in 1868 and was elected almost without opposition. He proceeded to carry out the Congressional policy of reconstruction (§ 376) and gave his consent, in a rather half-hearted way, however, to the plan of those that wished hard money instead of an inflated paper currency (§ 390). In dealing with foreign affairs, his administration was quite successful, owing to the skill of his secretary of state, Hamilton Fish; but Grant's favorite

Grant's policies.

scheme of annexing Santo Domingo failed, because it did not meet the approval of his advisers or of the people.

Election of 1872.

The election of 1872 was interesting chiefly because of the attempt of the Democrats to join the reform Republicans and because of the Labor platform. Horace Greeley was nominated by the Liberal Republicans and Democrats, but his campaign was mismanaged and his death soon after election complicated matters. The interesting platform of the Labor party contained several planks that were received with derision in that day, but have found a place in the nation's law. Among these were demands that Chinese laborers be excluded from the United States, that the national government supervise the affairs of railways and telegraphs, that contract labor in prisons be abandoned. They asked for civil service reform, an eight hour day for private contract work on public buildings, lease but not sale of all public lands, and a paper currency issued on the credit of the people but not through the banks.

Burgess, *Reconstruction*, 264–268.

Stanwood, *Presidency*, Chapter XXIV.

Andrews, *Our Own Times*, 68–78.

Civil service under Grant.

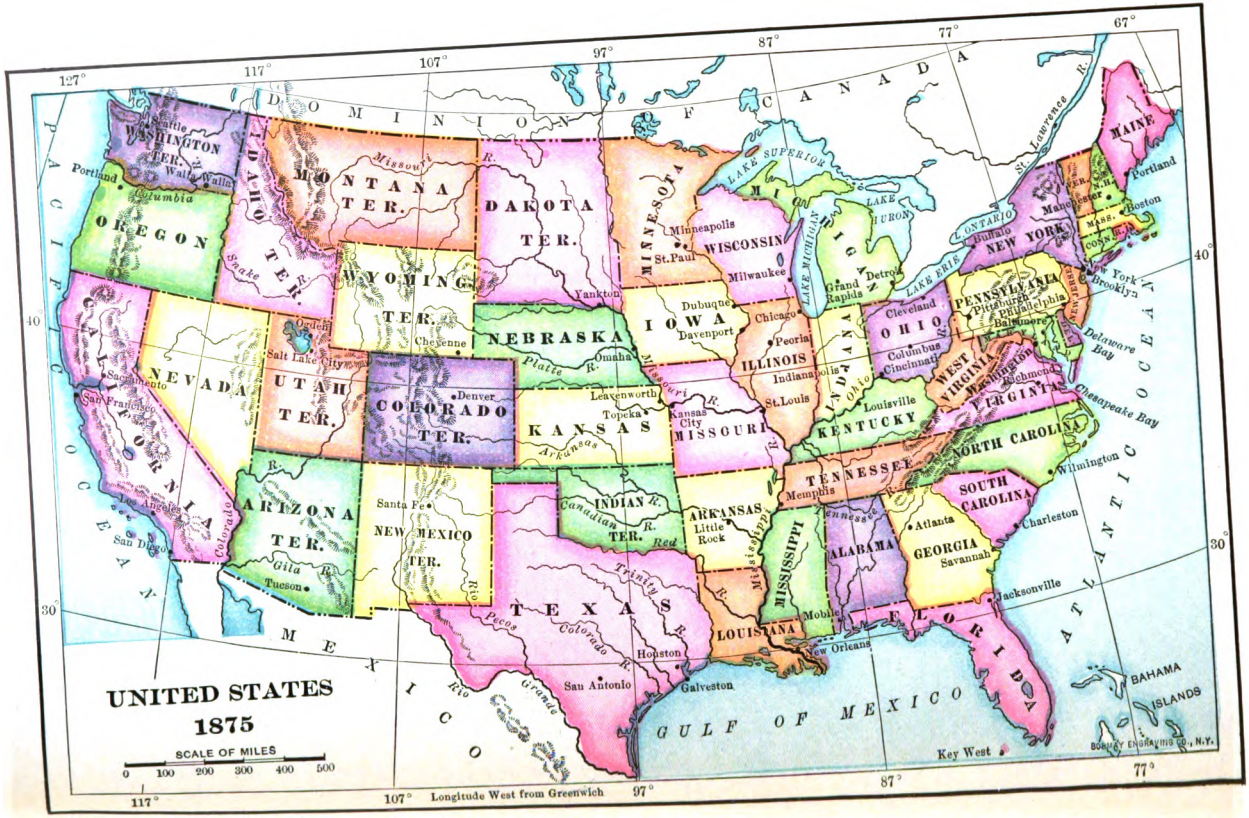
381. National Political Scandals. — Grant was so honest himself and had such confidence in the men by whom he was surrounded that he was imposed upon by them. Positions were created to furnish berths for dishonest politicians. The civil service became filled with unfit men. Inefficiency and corruption were prevalent in the national government as nowhere else except in New York City and in the South. In response to a demand for reform, a civil service commission was appointed in 1871 to select candidates for a few offices on a merit system, but it was not very successful and was abandoned entirely in 1875.

Rhodes, *United States*, VI, 385–390.

Credit Mobilier and Whisky ring.

During Grant's administration there were numerous political scandals, some of them of no significance. Perhaps the most discussed of these was that of the Credit Mobilier, an organization created for the purpose of building the Union Pacific railway. Stock of this company was sold to many congressmen before the completion of the great highway to the Pacific. It was claimed, probably with truth, that there was no legislation pending which would

Andrews, *Our Own Times*, 104–109, 200–205, 237–242.


UNITED STATES
1875
SCALE OF MILES
0 100 200 300 400 500
Longitude West from Greenwich
DOMINION OF CANADA
PACIFIC OCEAN
ATLANTIC OCEAN
GULF OF MEXICO
MEXICO
BAHAMA ISLANDS
BOBMAY ENGRAVING CO., N.Y.
WASHINGTON TER.
OREGON
CALIFORNIA
NEVADA
IDAHO TER.
MONTANA TER.
WYOMING TER.
UTAH TER.
ARIZONA TER.
COLORADO TER.
NEW MEXICO TER.
DAKOTA TER.
NEBRASKA
KANSAS
INDIAN TER.
TEXAS
MINNESOTA
IOWA
MISSOURI
ARKANSAS
LOUISIANA
WISCONSIN
ILLINOIS
MICHIGAN
INDIANA
OHIO
KENTUCKY
TENNESSEE
MISSISSIPPI
ALABAMA
GEORGIA
FLORIDA
SOUTH CAROLINA
NORTH CAROLINA
VIRGINIA
WEST VIRGINIA
PENNSYLVANIA
NEW YORK
MAINE
Portland
Seattle
Walla Walla
Portland
Columbia
Snake R.
Missouri R.
Platte R.
Arkansas
Canadian R.
Red
Trinity R.
Colorado R.
Pecos
Rio Grande
Gila R.
Colorado
Sacramento
San Francisco
Los Angeles
San Diego
Salt Lake City
Ogden
Cheyenne
Denver
Santa Fe
Tucson
Yankton
Omaha
Leavenworth
Topeka
Kansas City
Minneapolis
St. Paul
Milwaukee
Dubuque
Davenport
Chicago
Peoria
Indianapolis
St. Louis
Grand Rapids
Detroit
Cleveland
Columbus
Cincinnati
Louisville
Memphis
Little Rock
Mobile
New Orleans
Houston
Galveston
San Antonio
Atlanta
Savannah
Jacksonville
Charleston
Wilmington
Richmond
Washington
Baltimore
Philadelphia
Pittsburgh
Buffalo
Manchester
Boston
Portland
New York
Brooklyn
Delaware Bay
Chesapeake Bay
Key West
LAKE SUPERIOR
LAKE MICHIGAN
LAKE HURON
LAKE ERIE
L. ONTARIO
St. Lawrence R.
Ohio
Mississippi
Tennessee
127°
117°
107°
97°
87°
77°
67°
40°
30°

have been influenced in any way by the vote of these congressmen; but the whole affair was condemned without mercy by the awakening public conscience. In 1875 a gigantic "whisky ring," with headquarters at St. Louis, which had defrauded the government of several million dollars by connivance with internal revenue officers, was broken up by the effort of B. H. Bristow, secretary of the treasury; but later a ring in California was successful in its fight with the treasury department. The post office department was purged of many abuses by the energy of the postmaster-general, but, in the war department, Secretary Belknap was found guilty of accepting bribes in making appointments and in letting contracts. Belknap was impeached by the House of Representatives, but escaped conviction in the Senate by resigning. The President's attitude is shown by his statements: "Turn the rascals out," and, "let no guilty man escape." Grant was criticised, however, because he seemed to favor the grafters, as he was loath to believe his friends guilty of wrongdoing.

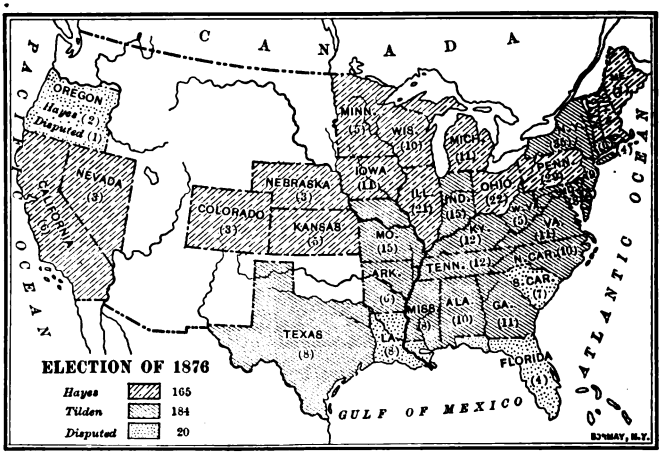
Rhodes, *United States*, VI, 1–18, 182–191.

SAMUEL J. TILDEN

382. The Disputed Election of 1876. — The closing scene of the reconstruction tragedy was enacted in connection with the presidential election of November, 1876. The candidates were Rutherford B. Hayes of Ohio and Samuel J. Tilden of New York. The campaign was rather uninteresting until the day after the votes were polled, when it became evident that both parties would claim the electoral vote of several states. On the face of the returns, as reported originally, Tilden had a fair majority, but the Republicans claimed the electoral vote of the states of Florida, South Carolina, and Louisiana, as well as one elector from Oregon. In these southern states the contest between the carpetbaggers

Cause of the dispute.

Burgess, *Reconstruction*, 280–283.



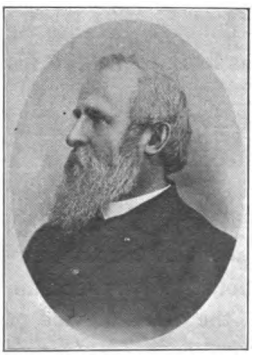
and the native whites made it possible to send in two sets of returns. If all of the votes in dispute were counted for Tilden, he would have 203 votes to 166 for Hayes. If all were counted for Hayes, he would have 185 and Tilden 184.

Electoral commission (1877).

The electoral votes were sent to Congress, in January, 1877, the Senate being Republican and the House Democratic. They were opened by the president of the Senate,[1] but it was decided that he had no authority to count either set of the votes in dispute, and the matter was referred to an "electoral commission" of fifteen whose recommendations should be accepted unless refused by both houses. The commission was to consist of five senators, five representatives, and five justices of the Supreme Court. As eight of these elected to the commission were Republicans, all questions in dispute were settled by a party vote of eight to seven, and,

Burgess, *Reconstruction*, 283–295.

Johnston, *Am. Pol. Hist.*, II, 544–552.



RUTHERFORD B. HAYES

[1] Amendment XII of Constitution.

on March 2, 1877, Hayes was declared to be elected by a majority of one vote.

Hayes's southern policy.

It was understood but not agreed that, if elected, Hayes would withdraw the troops from the South and allow the former Confederate states to conduct their own governments without interference from Washington. This was the real end of reconstruction in the South. From this time, normal conditions being restored, the South began to take advantage of the great resources at her command and developed with amazing rapidity.

Burgess, *Reconstruction*, 295–298.

National Changes (1861–1877)

General.

383. National Development. — The period of the Civil War and reconstruction — that is, the years from 1861 to 1877 — was an era of changes as important as those that had taken place in the epoch-making Revolutionary period (1775–1789). In each case a war which had been brought about by conflict between two different systems of government and society left the United States very different from the country it had found. In each case the war had exerted an almost inestimable influence in developing a stronger nation.

Triumph of national sovereignty.

Before the Civil War the relation of the nation to the states had been a disputed one. A fairly large minority of the people still held that the states were sovereign and believed that Congress should be no more than the agent of the states. This position could no longer be held, since the events of the war and of the reconstruction epoch had shown beyond question that the nation was sovereign and that Congress was not the law-making body of a league of states. The right of the nation to coerce a state which attempted to secede had been proved by the failure of secession. After one hundred years of dispute over the question of whether the nation was sovereign or whether the states were sovereign, there was no longer the slightest doubt as to the supremacy of the nation.

Johnston, *Am. Pol. Hist.*, II, 343–336.

The second great change of the period was the destruction

Destruction of slavery.

of the system of slavery which had been the chief factor before the war in developing sectionalism. Freed from the blighting influence of slavery, the South was able to make use of its natural resources and to devote its energies to new occupations; in short, to gain a share in the general progress of the world, from which it had been debarred by slavery before the Civil War (§ 320).

Amendments XIII and XV.

384. Changes in the Written Constitution. — In spite of the very radical changes in the relation of the nation to the states, and in the real constitution of the United States, the changes in the written Constitution were comparatively few. Only three amendments had been added to that valuable document. Nominally all of these were for the purpose of protecting the negroes, although they have helped to establish the supremacy of the nation over the states. This is partially the case with the thirteenth and fifteenth amendments, in which the nation decided matters controlled exclusively by the states before the war began. Without the war few states, North or South, could have been persuaded to surrender to the nation the right which they had had as states to control the question of slavery within their own limits. Without the war it would have been difficult, perhaps impossible, for the nation to have placed limitations on the right of each state to decide for itself who should vote within its limits.

Amendment XIV.

More important than these amendments, from a national standpoint, were the provisions in the first article of Amendment XIV. Before the Civil War those who upheld the doctrine of state sovereignty denied that there was such a thing as real citizenship of the United States.[1] They contended that every man owed allegiance to his state only, since he was a citizen of the state only. The reality of United States citizenship,[2] with its corollary of allegiance to the nation alone, was made clear by the first clause of the

[1] Except in national "territory."

[2] On state and United States citizenship and the rights of each, consult Ashley, *American Government*, §§ 264–266.

fourteenth amendment. Later clauses prevented the states from interfering with the rights of citizens of the United States or of restricting unjustly the rights of state citizenship.

Increase of national authority.

385. Changes in the Unwritten Constitution. — The constitution of the United States consists not simply of the written Constitution, but of an "unwritten constitution." This unwritten constitution includes all important laws or court decisions which explain or supplement the written Constitution. During the war, of course, it had been necessary to use powers that were extra-constitutional. This was justified on the ground that unless the Union was preserved, the Constitution would be destroyed. During the process of reconstruction also extra-constitutional measures were passed because, in the opinion of the nation's rulers, they were demanded by public necessity. At the close of the period of reconstruction, the national government ceased to use these powers which would have been unconstitutional under normal conditions, but it continued to use powers which before the war would have been considered unconstitutional, but which were now deemed legal. It is not surprising that this was done, for the war had developed a much stronger national sentiment than had ever existed before. The national government had become so centralized that it could not be expected to give up most of the powers that it had acquired since 1860, and the Supreme Court, reflecting popular wishes, gave its support to the doctrine that since the United States was a nation, the Constitution should be interpreted in such a way as to give the central government power to do what was for the best interests of the nation, provided the Constitution did not forbid the use of such a power.

The president.

386. The National Government. — In form the national government was changed little; in power it was as different from the government at Washington before 1861 as the nation in 1877 was unlike the nation of two decades earlier. By virtue of the exercise of war powers the president had for

a short time increased the authority of his position immeasurably. After the close of the war of necessity this power was reduced greatly because of the return to peace conditions. It was reduced still further by the interference of Congress with so many undoubted rights of the president that our chief executive, although more powerful than before the war, was in danger of becoming subordinate to Congress.

Powers of Congress.

Although the expansion of congressional authority during the war was less marked than that of the president, a very large part of this new-found power was retained by Congress and still more powers were exercised after the war at the expense of the president or the states. In short the war and reconstruction period left Congress much the most powerful political organization in our system of government. The way in which Congress forced the once proud southern states to recognize negro rights, to allow the negro a vote, and to accept conditions that were humiliating in view of their recent claim to state sovereignty, was almost pitiful. Congress undoubtedly would have seized and retained even more of the rights of states than it did but for the action of the Supreme Court in declaring that it was exceeding its powers, for example, when it tried to prevent discrimination against negroes in any inn or on any railway in the country.[1] A comparison of the national finances before the war and twenty years later will show that Congress had assumed many new duties and had radically changed the system of taxation to which the country had been accustomed for sixty years (§ 389). By the creation of a paper currency during the war, and the refusal afterward to withdraw this currency from circulation, Congress asserted its right to exercise a power which the Constitution did not authorize and which the constitutional convention of 1787 believed Congress might use as a temporary expedient only in time of great need (§ 390).

Business before the war, and after.

387. New National Industrial Conditions. — Even more directly did the war influence the industry of the United

[1] Civil Rights Law of 1875, declared unconstitutional 1883.

States. In 1860 the people were still devoted almost exclusively to agriculture. There was little manufacturing, and almost none at all on what we should consider a large scale. Almost all money in use was in the form of state bank bills, which did not pass at their face value outside of the state where they were issued and often were worth little anywhere, because they were issued in such quantities. This lack of a really national currency prevented the development of interstate trade. In consequence few companies commanded a large market or exported extensively, while the value of manufactured imports was large.

During the war manufacturing had been stimulated by the need of providing the troops with necessaries and of furnishing materials for the prosecution of military campaigns. The high tariff had more than counterbalanced taxes on production, and this reduction of foreign competition coupled with high prices had proved a boon to manufacturers. During the war.

When peace came, the internal taxes were removed, while the tariff was changed very little for a quarter of a century. This assured sufficient protection to warrant the investment of still more capital in industry. Large companies were organized. Firms which before had been content with local markets began doing business in several states. New commercial ties were formed by men in different parts of the Union so that many of the old sectional prejudices were forgotten. By this obliteration of state lines in business, the unity of the nation was developed as at no earlier time. The marked difference between the United States, commercially and industrially, before the Civil War and after that conflict can be appreciated perhaps by examining the opening sections of the next chapter. After the war.

TOPICS

1. THE PROCESS OF RECONSTRUCTION: Dunning, "Civil War and Reconstruction," pp. 176–252; Burgess, "Reconstruction and the Constitution," pp. 144–156, 222–246; Rhodes, "United States since 1850," VI, pp. 60–97, 168–178, 284–305; Cox, "Three Decades of Federal Legislation," pp. 480–577.

2. IMPEACHMENT OF PRESIDENT JOHNSON: Burgess, "Reconstruction and the Constitution," pp. 172–192; Dunning, "Civil War and Reconstruction," pp. 253–303; Blaine, "Twenty Years of Congress," I, pp. 341–384; Rhodes, "United States since 1850," VI, pp. 98–157.

3. DISPUTED ELECTION OF 1876: Stanwood, "History of the Presidency," pp. 356–393; Cox, "Three Decades of Federal Legislation," pp. 651–668; Rhodes, "United States since 1850," VII, pp. 206–281; Haworth, "Disputed Presidential Election of 1876."

STUDIES

1. The condition of the South (1865). (Hart (ed.), "Contemporaries," IV, Nos. 141–144.)

2. Powers exercised by the Freedmen's Bureau. (MacDonald, "Select Statutes," No. 51.)

3. Attempt to remove Stanton from office. (Blaine, "Twenty Years of Congress," II, pp. 348–355.)

4. The trial of Johnson before the Senate. (Ross, E. G., in *Scribner's*, XI (1891), pp. 519–524.)

5. Ku Klux movement. (Brown, "Lower South in American History," pp. 191–228.)

6. Carpetbag government in South Carolina. (Rhodes, "United States," VI, pp. 142–168.)

7. Political contests in Louisiana. (Andrews, "United States in our Own Times," pp. 152–167.)

8. Nast's services in breaking up the Tweed ring. (Paine, "Thomas Nast.")

QUESTIONS

1. Summarize the practical and the theoretical problems of reconstruction as they existed in 1865. How did the plan that was adopted solve each of these? Do you agree with Professor Burgess that the North should acknowledge that reconstruction was an error as well as a failure?

2. Were the rights of whites and blacks in the South protected by the Freedmen's Bureau and the Civil Rights Bill? What new principles did the latter introduce into our system of government? Were those principles incorporated permanently or not?

3. Compare the three amendments to the written Constitution in regard to provisions, importance, and results. Make a complete comparison of the Emancipation Proclamation and Amendment XIII; of the Civil Rights Bill and Amendment XIV.

4. Enumerate the most important changes in the written Constitution during the reconstruction period. Did the changes (1861–1877) constitute a revolution?

PART V

THE NEW NATION (1865–1907)

CHAPTER XIX

INTERNAL DEVELOPMENT (1865–1886)

PRESIDENTS

Andrew Johnson (1865–1869) James A. Garfield (1881–1881)
Ulysses S. Grant (1869–1877) Chester A. Arthur (1881–1885)
Rutherford B. Hayes (1877–1881) Grover Cleveland (1885–1889)

Business activity (1865–1877).

388. Changes Following the War. — There can be no greater mistake than to imagine that during the Civil War the energies of the North were entirely absorbed in carrying on that conflict or in supposing that during the succeeding years the reconstruction of the Confederate states engaged the attention of more than a small proportion of the people. When the crisis was past and the preservation of the Union no longer in doubt, the vast majority were aroused by the new business opportunities to improve their financial condition. At the close of the war a million and a half of men, North and South, returned to the ordinary walks of life within a few months. The business of the North, stimulated rather than retarded by the war, increased in volume manyfold. There probably never has been a period of more numerous radical business changes or greater apparent prosperity than the period of reconstruction. During those years the wealth of the United States nearly doubled. The larger cities engaged in commerce on a large scale. In the smaller towns new factories were started. Immigration from Europe began anew. Into the West flocked a host of sturdy pioneers who settled with their families on the farms which

the national government sold to them on liberal terms.[1] New lines of railway were built in all parts of the Union, especially in the West.

Extravagance and panic.

As the country was flooded with the large issues of national paper money — greenbacks and national bank notes, — gold and silver coins were no longer in regular circulation during this period, high prices prevailed, and speculation was common. People bought and sold recklessly, fortunes undreamed of before the war were made within short periods, and private extravagance began to replace the cautious expenditures of the earlier period. Prosperity soon led to panic (1873) and panic to hard times (1873–1877). The country recovered from this experience about the time that reconstruction was completed in the South, and after 1877 it settled down to the new methods of business and new standards of living under fairly normal conditions.

Financial and Industrial Readjustment (1865–1879)

National debt.

389. Bonds and Taxes after the War. — At the close of the war the debt of the United States was nearly three billions of dollars. It included more than four hundred millions in greenbacks and other notes which bore no interest, but most of the debt was in the form of bonds, with interest at five per cent or six per cent. Some of the bonds were payable in coin only, but the laws authorizing others had not stated in what kind of currency they were to be paid. As they had been sold for paper money, in almost every instance, many people insisted that these latter bonds be paid in greenbacks. In fact the Democratic platform (1868) contained a plank favoring this method, but the government, in order to maintain its credit and to facilitate the sale of the new bonds that were to replace the old ones, decided to pay all in coin.

Dewey, *Financial Hist.*, §§ 148–152.

Taxes.

When peace came in 1865, the government sought to reduce the taxes as soon as possible, but until the panic of 1873 there was a surplus of receipts over expenditures. The

[1] Homestead Act of 1862, see Coman, *Industrial History of United States*, pp. 279–282.

most objectionable features of the internal system were repealed, including the income taxes and the taxes on manufactures, but the excises on liquors and tobacco were retained, the annual revenue from this source after 1879 being but little less than that from customs duties. No important change was made in the tariff [1] in spite of the reduction in the internal taxes on manufactured articles which were protected from foreign competition, so that the rates were more than twice what they had been before the war and the inducement to invest capital in industry was very great.

Dewey, *Financial Hist.*, §§ 166, 167.

390. The Greenbacks. — As the greenbacks had been intended to help the government during the war only, steps were taken by the treasury department as early as 1865 to retire them from circulation. Those who desired the withdrawal of the paper money were called "contractionists," their opponents were known as "inflationists." Contraction of the currency proved to be unpopular and was abandoned in 1868, but in 1869 the Supreme Court decided that Congress had no power to make those notes legal tender. This decision was reversed two years later when the reorganized court declared that the national government might issue legal-tender paper money in time of war. During the hard times of the 70's the treasury department issued new greenbacks, and in 1884, when the Supreme Court was asked to decide whether these issues were constitutional, it gave its opinion that "Congress, as the legislature of a sovereign nation," has the right to issue legal-tender notes at its discretion.[2]

Issuance and constitutionality.

Dewey, *Financial Hist.*, §§ 154–156.

White, *Money*, 134–149, 156–163.

Rhodes, *United States*, VI, 222–225, 258–273.

In spite of the hard times after 1873, repeated attempts were made to resume specie payments. Finally in 1875 a

Resumption of specie payments (1879).

[1] In 1872 the duties on tea and coffee were abolished and a horizontal reduction of ten per cent was made on other rates, but the original rates were restored in 1875, except that tea and coffee were left on the free list.

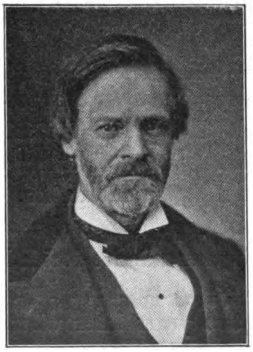
[2] It might do this because of powers specifically conferred on it by the Constitution (Art. 1, § 8, cls. 1, 2, and 5) and because "the power to make the notes of the government a legal tender in payment of private debts is one of the powers belonging to sovereignty in other civilized nations, and not expressly withheld from Congress by the Constitution."

Dewey, *Financial Hist.*, §§ 159, 160.

law was passed which provided for the resumption of specie payments on the first day of January, 1879. John Sherman, as secretary of the treasury, took charge of collecting gold to be used as a reserve for the redemption of greenbacks, and succeeded so well that he had $133,000,000 at his command on the day set for redemption. Few notes were presented for payment at that time, as greenbacks now circulated on a par with gold, but the government sought thereafter to keep a reserve of at least one hundred millions for the redemption of the greenbacks and other notes which it had outstanding.

Burgess, *Reconstruction*, 276–279.

Upton, J. K., in *Scribner's*, XII (1892), 124–128.



JOHN SHERMAN

Although the government kept the greenbacks in circulation and the courts upheld the right of Congress to issue them in times of peace, many persons were dissatisfied with the government's decision to pay all of its obligations in coin and its avowed intention of redeeming the greenbacks in specie, thereby increasing the value of every paper bill until it was worth as much as gold. Many of the most radical opponents of this policy united and formed a political party called the Greenback party, which in 1878 polled more than one million votes. The return of "good times" did much to counteract this extensive "inflation" movement, and the influence of the "Greenbackers" on legislation was not great.

Greenback party (1878).

Wilson, *Am. People*, V, 143, 145–146.

Dewey, *Financial Hist.*, § 161.

391. Laws Relating to Silver. — In 1834 Congress had adopted a law for the free coinage[1] of gold and silver at a

Silver laws of 1834, 1854, and 1873.

[1] The free or unlimited (not gratuitous) coinage of a metal is permitted when the government allows any one having bullion of that metal to take the bullion to the mint and receive in exchange coins of the same metal equaling in weight the bullion brought. Limited coinage takes place when the government and the government alone can change the bullion into coins. On the subject of free coinage of one metal or two metals, see Gide, *Political Economy*, 246–257.

legal ratio of 16 to 1. Under this law very little silver was coined, and in order to supply the country with small change, Congress in 1854 provided that the silver coins of a denomination less than one dollar should contain less silver than formerly, but should be minted from silver purchased by the government. This left the dollar as the only silver coin subject to free coinage, but for business reasons very few silver dollars were minted. This condition, coupled with the fact that only paper money had been used in ordinary circulation for several years, led Congress in 1873 to pass a law declaring that the silver dollar should no longer be subject to free coinage. It is doubtful whether the congressmen realized fully that this would establish gold monometallism in the United States, so that few if any could be accused of deliberate participation in a "crime of 1873."

White, *Money*, 34–37.

Dewey, *Financial Hist.*, §§ 90, 170.

This act happened to coincide in time with the opening of many new silver mines in the Rocky mountain states, and with action on the part of Germany, France, and several other nations which was unfavorable to silver. Consequently, the price of silver declined from $1.20 an ounce in 1870 to $1.05 an ounce in 1878. In order to raise the price of silver and in order also to gain a cheaper money in which they might repay their debts, large numbers of persons demanded the free coinage of silver. A bill to that effect was introduced in the House by Bland of Missouri, but in the Senate it was changed at the suggestion of Senator Allison of Iowa so that the government was to purchase not less than $2,000,000 nor more than $4,000,000 worth of silver per month at the market price, and coin it into dollars. Even in this modified form the bill was vetoed by President Hayes, but it was passed over his veto.

Bland-Allison Act (1878).

Dewey, *Financial Hist.*, § 171.

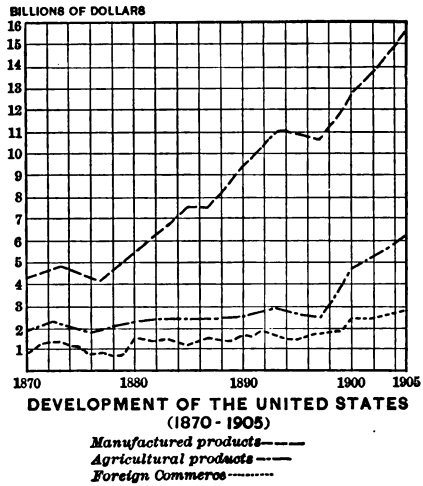
White, *Money*, 193–199.

392. Business after the War. — In the decade following the war the natural resources of the country were developed as never before. New silver mines were opened not alone in Nevada, where the Comstock Lode and other mines yielded immense fortunes, but in the Black Hills of Dakota and at

Mining.

Coman, *Industrial Hist.*, 273–277.

Leadville, Colorado, to which thousands flocked in search of wealth. Iron and copper were mined much more extensively, particularly in the upper Michigan peninsula, and the coal output of the United States increased five hundred per cent. Especially in northwestern Pennsylvania the production of petroleum drew throngs which sought fortunes in the oil fields. When this crude oil was refined, it was found to be a very fine illuminant and was sold extensively in the United States and in Europe.



DEVELOPMENT OF THE UNITED STATES (1870-1905)

Manufacturing.

Conditions were especially favorable for manufacturing. The increasing supply of raw materials, the demand for greater conveniences and more luxuries than before the war, the extension of the railways and the cheapening of transportation, aided in this movement. More than anything else the high protective duties, preventing keen competition from abroad, made manufacturing investments desirable. From 1860 to 1880 the value of manufactured articles increased from less than $2,000,000,000 to nearly $5,500,000,000.

Wright, *Industrial Evolution*, 159–188.

Foreign commerce.

Foreign commerce revived very rapidly after the war. In 1865 our total exports and imports amounted to but $465,000,000. Eight years later they were nearly three times that figure, and, although the depression from 1873 to 1878 reduced the amount of our foreign trade, it never again fell below $1,000,000,000 a year.

393. **Agriculture and the West.** — During the period from 1865 to 1880, which was one of distinctively national growth,

the United States was fortunate enough to avoid one of the great dangers which are likely to accompany rapid industrial and commercial development, namely, the loss of a sturdy, middle class of farmers. In 1880 there was just twice the number of farms in this country that there were in 1860, a truly remarkable change. This can be accounted for in several ways. First, in the South, agriculture was emancipated from the former system of large plantations exclusively, with crude labor, and, although numerous large cotton and tobacco plantations remained, there were now very many small farms devoted to various crops and supporting one family rather than a colony. This was fortunate for the South, as the people did not recover easily from the losses and hardships of the war and reconstruction. Second, in the East more attention was being paid to intensive farming, as it was found difficult to compete with the cheap western lands in the growing of cereals. Near the cities small truck farms conducted on scientific principles were found exceedingly profitable.

Agriculture in the South and East.

Bruce, *Rise of New South*, 17–28.

Third. Into the West poured hundreds of thousands who were attracted to the rougher life of the frontier, or were drawn on by the offers of cheap land made by the government or the railways. In 1862 Congress had passed the Homestead Act, permitting any one who was a citizen or intended to become a citizen to acquire 160 acres of land by remaining on it five years, the money payment being purely nominal. Last, when hard times after 1873 reduced the demand for labor in industry and commerce, many thousands turned their attention to agriculture, which suffered less from the panic than any other occupation.

Agriculture in the West.

Coman, *Industrial Hist.*, 279–282.

Aside from the social advantages derived from the increasing tendency to become a nation of small farmers, the agricultural changes of this period are noteworthy. The quantity which was grown doubled during the fifteen years following the war, and in the case of wheat, the increase was even greater. With the opening of large grain farms in the western part of the Mississippi valley and the

Agricultural development.

construction of railways in that region, we began to export large quantities of flour and other bread stuffs to Europe, the real beginning of our most important modern export trade.

Transportation Problems (1865–1887)

Railways after the Civil War.

394. Development of the West by Means of Railways. — We have already noted the care taken by the state governments, particularly in the West, to develop railway communication within their territory (§ 284). In 1850 the United States began to take part in this movement by making grants of land to the states to be used as a bonus for railway lines. Much had been done in this way before 1860, when the United States possessed 30,000 miles of railway. During the war the need of moving troops or provisions, and after the war the increased demands of the exporters in the coast cities, the eastern manufacturers, the farmers, and the western miners, emphasized the need of better means of communication. This led to an era of railway construction that in eight years (1866–1874) more than doubled the mileage of the country. New sections were thus offered to settlement, inducements being made by the railways which offered to carry settlers and their families at very low rates. Lands were granted almost without cost not only by the government under the Homestead Act, but by railways, which advertised widely the advantages of the farms they had for sale. These lands had been given to the railways as a bonus for building a line through a region that could not possibly support a railway until it was densely populated. The result was, of course, greatly improved means of communication in the Northwest, accompanied by the rapid settlement of the western prairies and an agricultural advance that was marvelous.

Haynes, *Railway Legislation*, 82–96.

Johnson, *Railway Transportation*, 27–28, 311–316.

First transcontinental railway.

The most important railway enterprise of this period was the construction of a transcontinental railway from the Missouri River to the Pacific coast. This was authorized by Congress in 1862, the national government making liberal land grants and loaning a large sum of money to the

Coman, *Industrial Hist.*, 282–286.

railway companies.[1] The completion of the road in 1869 was an event of great importance from the political as well as the commercial standpoint.

Dillon, S., in *Scribner's*, XII (1892), 253–259.

395. **Railway Abuses.** — In the eastern and central states many of the railways built after the war were unnecessary. (1) Their efforts to secure business led to cut-throat competition between cities which were on more than one line, so that goods were often transported between two points at an actual loss. To make good this deficit, the railways charged an extra amount on local traffic. If a shipper wished to send goods from Chicago to a point in New York or Pennsylvania, it was often cheaper to ship the goods to New York and then reship them back over the same line to the intermediate point. (2) This discrimination between different places was less serious than a second railway abuse; namely, the discrimination between shippers, which became quite common after 1870. By granting special rates to favored shippers the railways did much to develop the great monopolies which were often able to destroy the business of their smaller competitors, because of the cheaper transportation secured by them. For example, the Standard Oil Company, of Cleveland, Ohio, succeeded in gaining control of most of the refineries in that city and in the oil-producing district of Pennsylvania, partly because it obtained lower freight rates and was able therefore to sell oil for less than its competitors.

Two kinds of discrimination in the East.

Johnson, *Railway Transportation*, 217–227.

Haynes, *Railway Legislation*, 207–213.

Rogers, *Devt. of North*, 181–189.

By combining, the railways sought to protect themselves from cut-throat competition and to keep the trusts from forcing them into giving large rebates. The object of these combinations was to maintain a *uniform system of high rates* on all of the railways in the country. But the ordinary

Pools.

Hadley, *Railroad Transportation*, 74–76, 91–97.

[1] The amount loaned was $16,000 per mile across the prairies, $32,000 on the mountainous plateaus, and $48,000 per mile across the mountain ranges. The total sum of over $61,000,000 was loaned at six per cent for thirty years to the main line or branches. This was secured by first mortgage on the railways. Between 1896 and 1899 all of the principal was repaid and in most cases interest was paid also.

Johnson, *Railway Transportation*, 228–243.

combinations failed to do this because some railway was certain to cut rates in order to secure more business. Later a plan was devised to arrange beforehand the percentage of the profits to be received by each of the railways in the combination, or *pool*, as it was called, so that there would be no temptation to cut rates.

Abuses in the West.

396. The Granger Movement and Railway Legislation.— In the West the situation was even more serious. As there was less competition, there was less need of combinations to maintain rates. The railways, having sold most of their

DECREASE IN RAILWAY RATES (1867 - 1900)

desirable lands by attracting settlers with low rates, began to charge "all the tariff that the traffic would bear." It is probable that most of them could not have paid expenses even by the use of exorbitant rates, but these facts were lost sight of by the shippers who were obliged to find a market for their products. Throughout the West spread a demand for government relief.

Granger legislation.

Wilson, *Am. People*, V, 124–128.

The cry for control of the railways was taken up by the Farmers' Alliance, which had been originally a non-political body. Hundreds of thousands joined the Alliance in all parts of the country, and in several state elections during the seventies the question of railway regulation was the principal issue. The chief aim of the Grangers, as the members of the Alliance were called, was to secure lower rates. Largely through their influence state railway commissions were

appointed which had the right to fix rates and dictate the policy of the railways in other respects.[1] At first the attempt was made to have all rates as low as those between two places which enjoyed keen, unrestricted competition; but as it was found that this only injured the railways and indirectly hurt the shippers, the commissions later used their powers more carefully.

Johnson, *Railway Transportation*, 357–362.

397. The Interstate Commerce Commission (1887).— As the larger part of the freight transported on the railways of the United States is carried between places in different states, legislation by the states did not afford the relief expected even with the drastic methods used. But Congress was slow to take action. In 1878 a bill for the regulation of interstate trade passed the House of Representatives but not the Senate. Nothing was done until, several years later, the Illinois commission tried to apply its laws to certain trade that was carried on between Illinois and the neighboring states. The Supreme Court of the United States declared that the Illinois commission had no right to regulate interstate commerce, as Congress alone had that power.

Precedent events.

Johnson, *Railway Transportation*, 367–370.

So widespread a demand had arisen for action by Congress that in 1887 the Interstate Commerce Act was passed, creating a commission of five members which had the power to investigate existing rates and declare them unreasonable. The avowed purposes of the act were to prevent pools affecting interstate commerce by declaring them illegal, to prevent high rates or rates that were discriminating because one person was charged more than another for similar services, or because a greater charge was made for a short haul than for a long one.[2] Fear that the commission might treat the railways as the earlier state commissions had done led the railways to change their methods radically for a time, not always to the advantage of the public; but the powers of

Interstate Commerce Act (1887).

Johnson, *Railway Transportation*, 370–385.

Adams, H. C., in *Atlantic*, 81 (1898), 433–443.

[1] Many state commissions have never enjoyed the right to fix rates. See Ashley, *American Government*, § 187.

[2] In a case of this kind, the short haul was always a part of the longer one.

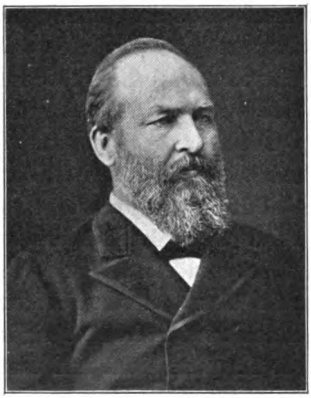
the commission were so limited that it accomplished comparatively little.[1]

Political Changes and Reforms (1877–1886)

Election of 1880.

398. Garfield and Arthur. — Not only was business reestablished on a normal basis after 1877, but the political parties began to interest themselves in present-day questions.

Andrews, *Our Own Time*, 307–319.



James A. Garfield

This was apparent in all of the elections after 1878. Interest in the election of 1880 centers in the Republican convention in Chicago rather than in the campaign. The friends of Grant were anxious that he should be nominated, for he and they thought that the so-called "third-term tradition" was a foolish custom not sanctioned by the nation. Guided by Roscoe Conkling, a New York senator, over three hundred delegates voted on every ballot for their champion. His chief opponent was Blaine, whose forces, after thirty-five futile ballots, joined the ranks of those that supported James A. Garfield of Ohio. Chester A. Arthur of New York was named for the vice presidency to represent the Conkling wing of the party. Grant's followers rallied to the support of the ticket and in November Garfield was elected by a vote of 214 to 155 over the Democratic nominee, General Winfield S. Hancock.

Stanwood, *Presidency*, 402–418.

Garfield and Conkling.

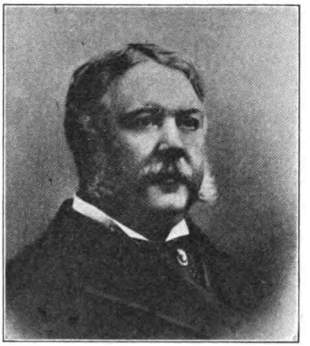
After the election the breach between the Conkling and Blaine factions was widened. Blaine was selected by Garfield for the state portfolio and was influential in determining the policy of the administration. When the President nominated for the chief office in the state of New York a man who for partisan reasons was obnoxious to Conkling, the

Andrews, *Our Own Time*, 319–330.

[1] On the later history of railway regulation, see §§ 451, 452.

latter resigned from the Senate and persuaded his colleague to do the same. It had been the custom, and is still to some extent, for the senators to name the appointees for federal positions in their states, so that Garfield's action was a blow to Conkling's power as well as his pride. The senators expected of course to be triumphantly reëlected and were sadly disappointed when others were selected. The incident aroused public sentiment to the evils and dangers of the spoils system. This feeling reached fever heat when on July 2, 1881, Garfield was shot by a disappointed office seeker. The lingering illness of this second "martyr president" created a demand for reform in the civil service that found embodiment in law soon after (§ 401).

Stanwood, *Blaine*, 224–239.



CHESTER A. ARTHUR

Arthur had been looked upon as a politician of no great ability, but he proved a wise and reliable executive. Few of the measures of his term were partisan acts, so slight was the cohesion in the political parties. The old issues had been dropped, but party lines were not drawn as yet on new political questions.

Arthur.

399. **The Election of Cleveland (1884).** — The campaign of 1884 was the most interesting that had been held up to that time since the Civil War. The dissensions in the Republican ranks, the lack of any clear-cut Democratic policy, and the rise into prominence of the Prohibition party complicated the situation. So far as any political issues attained prominence, the main question that seemed to be at stake was that of reform, although the politicians of both parties sought to make the tariff the important issue. In reality, it was more a personal campaign between the two candidates.

Political situation.

The Republicans nominated the most distinguished

Candidates and election.

member of their party, James G. Blaine of Maine, a man of magnetic personality who aroused in his followers a greater enthusiasm than any other leader since the days of Henry Clay. Blaine had unfortunately been connected, while speaker of the House of Representatives, with a transfer of railway stock which his opponents claimed was a bribe. Blaine had answered the charge boldly, but had never satisfied some of the reformers in his party of his innocence. This transaction, in fact, clouded the most brilliant political career of recent times. The reformers refused to support the Republican ticket and worked for the Democratic nominee. This faction of "Mugwumps," as it was called sneeringly, was, in fact, sufficiently large to decide the election. Grover Cleveland, who represented the Democratic party, had become prominent as governor of New York, because of the immense plurality by which he had been elected in 1882 and by the fearless use of the veto to reduce expenditures. He was hailed as the chief reformer then prominent in politics. The campaign was contested hotly and was marred unfortunately by the bitterness of the personal accusations against the two candidates. The election was decided by the vote of New York, in which both the Prohibitionists and Mugwumps were numerous. For several days after the election the vote of New York was in doubt, but the official count showed that the state had gone Democratic.

Wilson, *Am. People*, V, 169–176.

Stanwood, *Presidency*, 427–449.

JAMES G. BLAINE

Cleveland's policy.

As Cleveland was the first Democratic president for a quarter of a century the party looked forward eagerly to the return to power. The reformers, on the other hand, expected him to overlook partisanship in making removals and appointments. In consequence his position was one of

Peck, *Twenty Years*, 49–60, 66–80.

great difficulty, and, as is usual in such cases, Cleveland did too little to satisfy the one party and too much to please the other. He left conditions better than he found them and at all times exhibited a firmness that brought results. His administration is noteworthy for the numerous important changes that were made in the law of the nation.

Character of the spoils system.

400. The Spoils System and Reform. — For a period of fifty years the majority of the offices connected with the national government had been filled by party workers who had been appointed in return for services rendered to the party during the election campaign. Frequently extensive changes had been made every four years even when the same party remained in power. Thousands of persons were employed whose services had never been engaged according to law. This resulted in a serious demoralization of the civil service which was increased by the practice of requiring officeholders to contribute to campaign funds and work for their chiefs. Often the entire influence of an administration and its supporters would be devoted to the carrying of primaries, the election of delegates to nominating conventions and the carrying of doubtful states or districts. Pernicious political activity of this kind was even more disgraceful than inefficiency in office.

GROVER CLEVELAND

Lodge, *Hist. and Pol. Essays.*

Hart, *Actual Gov't*, § 132.

Even before the Civil War, there had been some demand for the reorganization of the public service on business principles. Nothing of importance was done until, in 1871, a civil service commission of first-class men was appointed by President Grant. The commission was empowered to investigate the character and fitness of a few employees and

Civil service under Grant and Hayes.

Larned (ed.), *Ready Ref.*, I, 476–477.

Lodge, *Essays.*

might give examinations of an elementary character. After four years Congress refused to vote appropriations for carrying on the work, and, as the results were not particularly gratifying, the commission ceased to exist. President Hayes did much more for the national civil service by insisting on good appointments.

Civil Service Commission (1883).

MacDonald, *Statutes*, No. 109.

Hart, *Actual Gov't*, § 134.

In 1883 Congress passed by a large majority in both houses a bill for the reform of the national civil service. This had been drafted by the Civil Service League and introduced by Senator Pendleton of Ohio. It provided for a commission of three members with power to make rules for the examination of candidates for numerous offices of a clerical nature. These offices were arranged in classes, hence the term " classified " service.

Extension of commission's work.

Larned (ed.), *Ready Ref.*, VI, 145–148.

401. Progress of Civil Service Reform since 1883. — As the president was permitted to increase the number of positions to which appointments might be made by the commission, the attitude of the chief executive was a matter of the first importance. All of the presidents since 1883 have extended the scope of the commission's work. Until 1894, however, most of the additions were made after the successor of the executive in office had been chosen. During his second term President Cleveland gave the commission control of large numbers of offices in the treasury, war, navy, and interior departments. During that administration the number of offices in the classified service was more than doubled. Afterward it was claimed that the men appointed by the commission to some positions requiring skill were not fitted for their work, and nearly eight thousand offices were taken from the commission. During the first four years that Roosevelt was president the number again increased nearly one hundred per cent, the offices opened to examination being in many cases of a higher type than those formerly filled by the commission.

Special improvements.

Numerous executive orders have modified the civil service rules. Originally persons in the classified service might be removed by those under whom they served. After con-

siderable agitation President McKinley in 1897 declared that none should be removed but for cause which was stated specifically. Changes have also been made for the promotion of officials according to proved ability. Some of the presidents, Roosevelt particularly, have applied this principle to very many offices not controlled by the commission. In general it may be said that, although the method of appointment used by the commission is not ideal, and although there is danger of retaining under the system officials and employees who have outlived their usefulness, it has performed a work of inestimable service to the nation.

Municipal and state reform.

The experience of the state and city governments in regard to the spoils system and reform has been somewhat similar to that of the central government. In our largest cities particularly the abuses of the old system have been more serious than elsewhere. Civil service commissions were appointed in a few of the states soon after 1883, and toward the close of the nineteenth century the cities began to free themselves a little from the spoilsmen, but progress toward civil service reform has been much slower than in the national government.

Hart, *Actual Gov't*, §§ 71, 94.

Former election abuses.

402. Reform of Elections. — Following close upon the reform in the methods of appointing public officials came a demand for improvement in the methods of election. There had never been any system of providing ballots or any order in polling votes. Each party printed its own tickets, and the parties, by neglecting to provide ballots, might prevent an election. Party workers were allowed to accompany any voter from the time he entered the polling place until he deposited his ballot. There was no secrecy, but every chance for bribery or intimidation. Organized gangs of the roughest element frequently controlled the election. "Stuffing" the ballot box was by no means uncommon. Occasionally those who had the right to count the ballots took the boxes with them to one of their homes. In short, there was every opportunity to defeat the will of the people.

Reform ballots.

In 1887 agitation for reform began in earnest. England

had adopted recently a form of ballot based on that in use in Australia. The reformers urged the selection of this, and in 1889 Massachusetts adopted with modifications the so-called Australian ballot. The movement spread with amazing rapidity, and although no state had used the reform ballot in the presidential election of 1888 more than thirty did so four years later, and all but three had abandoned the older system in 1906. These reform ballots are printed by the government. Names of all candidates for all offices are printed on a single sheet. Official ballots are not distributed to the voters until they have registered on election day, and the ballot is marked in secret. Every precaution is taken to prevent bribery and fraud.

Primary reform.

The reform of the ballot was a long step in advance in the purification of elections, but it was still possible for evil-minded persons to defeat the popular will by controlling the primaries. In the primaries are elected the delegates who attend nominating conventions in which candidates are selected. Something has been done toward the reform of the primaries, but the problem is as yet unsolved.

Dallinger, *Nominations for Public Offices*, 183–189.

Presidential Succession Act (1886).

403. Changes affecting the Presidency. — One of the most significant series of laws passed during Cleveland's first term affected the presidency. In 1885 Vice President Hendricks died. According to the law of that time, in case of the death or disability of both the president and the vice president, the office was to be filled, first by the president *pro tempore* of the Senate, second, by the speaker of the House. As the Senate was Republican at this time, the accession of its presiding officer to the presidency would have led to a complete reversal of the administration's policy. A new Presidential Succession Act was passed, therefore, providing that, if both the president and the vice president died, the office should be filled by the members of the cabinet in the order of the creation of the departments, beginning with the secretaries of state, treasury, and war.

MacDonald, *Statutes*, No. 111.

Stanwood, *Presidency*, 450–452.

President Cleveland had an interesting tilt with the Senate in 1886 over his right to remove officials without the consent

of the Senate. It will be remembered that the Tenure of Office Act in 1867 had restricted the president's right of removal. This was replaced by a much milder act in 1869 when Grant took the oath of office, but the Senate had been in the habit of asking for reasons of removal. Cleveland refused to do this, claiming that the law did not give the Senate a share in making removals. A long debate closed with the yielding of the Senate. This action is typical of a number of others by which Cleveland did much in his relations with Congress to restore the dignity and power of the presidency to the position it had occupied before reconstruction days.

Dispute over power of removal.

Hart, *Actual Gov't*, § 131.

Cleveland, *Pres. Problems*, 39–76.

The third change affecting the presidency was the enactment (1887) of an Electoral Count Bill. In spite of the difficulties in 1877 in counting the electoral votes, Congress had done nothing to supplement the omissions of the Constitution in this important respect. The law of 1887 left the decision regarding what votes should be counted to the states, and if the states neglected the matter, Congress could reach a decision only by the agreement of both houses.

Electoral Count Bill.

MacDonald, *Statutes*, No. 113.

Stanwood, *Presidency*, 397–400, 452–456.

404. Summary. — The years following the war brought to the national government several problems besides that of reconstruction. There was an immense war debt to be refunded and paid. Congress was obliged to decide whether the paper money of the war should be retained, when specie payments might be resumed, and what should be done about silver. By 1880 we were again on a specie basis, although a great amount of paper was in circulation and there was no longer free coinage of silver. The nation meanwhile had passed through a period of extreme business activity followed by the great depression in the years after 1873. One of the prominent characteristics of the time was the rapid expansion of railways. In the East the railways cut rates between competitive points, making good the losses at the expense of intermediate stations. Cut-throat competition led to the formation of pools. In the East, first, and later in the West, state railway commissions sought to restrain the

Industrial problems of government and people (1865–1886).

railways, the granger legislation of the prairie states being so drastic as to injure the railways. Legislation for interstate railways was delayed until 1887.

Political parties and problems (1877–1886).

The election of Hayes put an end to the political confusion of the reconstruction period, and with the election of 1880 new issues were discussed. Some of these were industrial, as was the case with the tariff, which became prominent during the close of this period. From 1882 to 1886 more attention was paid to the reform of party politics. The first attack was made on the spoils system, but later the reform of elections and the primaries was demanded.

TOPICS

1. CONSTITUTIONALITY OF THE GREENBACKS: Bancroft, "Plea for the Constitution"; Knox, "United States Notes," pp. 156–166, 193–229; Hart, "Salmon P. Chase," pp. 389–414; Thayer, "Cases in Constitutional Law," II, pp. 2222–2273.

2. NATIONAL CONTROL OF RAILWAYS: Lord, J. W., in *North American Review*, 183 (1905), pp. 754–766; Haynes, "Restrictive Railway Legislation," pp. 220–233, 243–292; Johnson, "American Railway Transportation," pp. 367–407, 420–427; Meyer, "Government Regulation of Railway Rates," pp. 319–439.

STUDIES

1. John Sherman and Resumption. (Sherman, "Recollections of Forty Years," II, pp. 629–660.)

2. Oil craze in Pennsylvania. (Tarbell, "History of Standard Oil," I, Chapter I.)

3. Destruction of Custer's force. (Andrews, "United States in Our Own Time," pp. 186–193.)

4. Building the first transcontinental line. (Warman, "Story of the Railroad," pp. 31–65.)

5. Transportation in the South. (Bruce, "Rise of New South," pp. 281–306.)

6. Government grants of land to railways. (Hart, "Practical Essays," No. 10.)

7. Conkling's attempt to nominate Grant. (Dawes, H. L., in *Century*, 47 (1894), pp. 341–344.)

8. The Plumed Knight and his joust. (Andrews, "United States in Our Own Time," pp. 452–480.)

9. History of removal from national offices. (Cleveland, G., in *Atlantic Monthly*, 85 (1900), pp. 721–732; 86 (1900), pp. 1–14.)

QUESTIONS

1. Look up the income taxes and taxes on production during the Civil War. Why was there opposition to these taxes? Should they have been retained after the war? If not, should the tariffs have been lowered to correspond to the reduction on the internal taxes?

2. What is meant by "legal tender"? Should Congress be prohibited from issuing a legal tender paper money? What has been the importance of the greenbacks, in supplying the government with revenue? in increasing government expenditures by affecting the price of bonds (§ 389) and by requiring a gold reserve (§ 412) in relation to business?

3. Give a summary of the laws regarding gold and silver money from 1792 to 1900. Compare the Bland-Allison Act and the Sherman Act; the law of 1873 and the law of 1900.

4. How does our federal system of government complicate the problem of railway control? Has government interference with the railway business protected the shippers? protected the public? affected the railways?

5. Show how the year 1877 marks a return to normal conditions, in the South; in the national government; in political parties; in business.

6. What is meant by the "third-term tradition"? Is it ever likely to be set aside? What change occurred between 1876 and 1885 in the composition of the parties and their policies?

7. What were the chief abuses existing in 1880 in the selection of public officials? Summarize the progress that has been made toward more satisfactory methods of appointment and election.

CHAPTER XX

THE END OF THE ERA (1886–1897)

PRESIDENTS

Grover Cleveland (1885–1889) Benjamin Harrison (1889–1893)
Grover Cleveland (1893–1897)

SOCIAL AND INDUSTRIAL CONDITIONS

Chinese immigration before 1880.

Hall, *Immigration*, 327–330.

Mayo-Smith, *Emigration and Immigration*, 227–240.

405. Treatment of the Chinese. — During the last quarter century and especially during the eighties the immigration of Chinese coolies aroused great opposition. A few Chinamen had come to the United States before 1869 to work on the railways near the Pacific coast. In that year we made with China the Burlingame treaty which encouraged trade and migration between the two countries. The influx of Chinese during the next decade was much greater than before, so that, when hard times came on during the years 1873–1877, they supplied most of the labor on the Pacific coast, being able to live very cheaply and willing to work for less than a white man. The feeling against the Chinese became intense. As early as 1871 thirty Chinese were killed in a riot in Los Angeles. In 1877 the rage against the Chinese culminated in the "sand lot" riots at San Francisco. Under the lead of Dennis Kearney a large and disorderly party insisted that "the Chinese must go."

Anti-Chinese treaties and laws.

Hall, *Immigration*, 330–335.

This continued agitation brought about an amendment to the Burlingame treaty which provided that the United States might restrict or suspend the immigration of laborers from China for short periods when our public interests required such action. This was followed by the law of 1882 forbidding for ten years the immigration of Chinese laborers. A few years later (1888) this act was supplemented by one that prohibited the return of any Chinese laborer who had gone

from the United States to China. In 1892 by the Geary Act all Chinese in the United States were obliged to register, and, if it was found that they had entered this country illegally, they were to be deported. China claimed that all of these laws were in violation of our treaty, so in 1894 we made a new treaty forbidding for ten years the immigration of Chinese laborers, but this treaty was not renewed. There is no doubt that many of the Chinese laws are unnecessarily severe and have been applied harshly, since in many instances students and merchants who may come here legally have been forbidden entrance at our ports. The Chinese have sought by boycotting American exports to secure a more lenient administration of the law, with some slight success.

MacDonald, *Statutes*, Nos. 107, 119.

Nickerson, S. W., in *No. Am. Rev.*, 181 (1905), 369–378.

Mayo-Smith, *Emigration*, 253–265.

406. The Mormons. — Legislation regarding the Mormons as well as the Chinese became necessary during this period. The Mormons had been organized by Joseph Smith about 1830. Smith claimed to have found a book of sacred writings, called the book of Mormon, which, according to revelations made to him, was to be used as the Bible of a new religious sect. With his followers Smith settled first in Missouri, but when driven from that state, founded in Illinois the sacred city of Nauvoo. So prosperous was his organization that the town became the largest in Illinois. Smith's control of about six thousand voters gave him great political power, and his influence became an object of dread to the citizens of the state. When he sought to resist the authorities of Illinois for having driven an opposition newspaper from Nauvoo, he was seized and killed by a mob. Public indignation now became so strong that the Mormons, who had recently accepted polygamy as one of their doctrines, were forced to migrate (1846) to Mexican territory near Great Salt Lake. Here they began to build a new city. Their industry was rewarded amply and the colony prospered, but in 1857 they rebelled against submission to direct supervision from Washington, and in 1862 Congress prohibited polygamy in Utah and the other territories.

Mormon sect and settlements.

Schouler, *United States*, IV, 146, 403–406, 546–549.

Laws against polygamy.

As the law of 1862 was not effective in preventing the spread of polygamy a new law, introduced by Senator Edmunds of Vermont, was passed in 1882. Under the law many persons who practiced polygamy were sentenced to imprisonment for terms of several years. Polygamists were forbidden to vote or hold office. To insure this result, the control of elections in Utah was placed in the hands of those who had not contracted plural marriages. Even this drastic legislation did not reduce the power of the polygamist rulers of the Mormon church, and in 1887 the Edmunds-Tucker Act was passed. The corporation known as the Church of the Latter Day Saints was dissolved and its corporate property in excess of $50,000 was placed in the hands of a receiver. After the Supreme Court (1890) had declared this act valid, the Mormon leaders agreed that the entire body of church members would obey the Edmunds-Tucker Act. President Harrison then declared full pardon for all who no longer practiced polygamy and the property of the church was restored to it.

MacDonald, *Statutes*, Nos. 21, 106, 118.

Andrews, *Our Own Time*, 602–604.

Tariff of 1883.

407. Proposed Reform of the Tariff (1882–1888). — The commercial and industrial changes which took place during the administrations of Hayes, Garfield, and Arthur made advisable a revision of the tariff, which was in 1882 substantially the same as at the close of the Civil War. In response to a popular demand President Arthur, in 1882, appointed a commission of business men who recommended a reduction in rates averaging about twenty per cent. The report of this commission exerted very little influence on Congress, for the tariff passed in 1883 did not provide for any important reductions, but was in many respects more emphatically protective than its predecessor.

Dewey, *Financial Hist.*, § 180.

Taussig, *Tariff Hist.*, 230–237.

Tariff discussion (1884–1888).

The tariff was discussed somewhat in connection with the election of 1884 and occupied the attention of Congress during several sessions. In general the Republicans favored the existing rates and the Democrats sought to obtain a reduction, but a fair minority of Democrats, led by Samuel J. Randall of Pennsylvania, were protectionists. Party lines were

Coman, *Industrial Hist.*, 299–300.

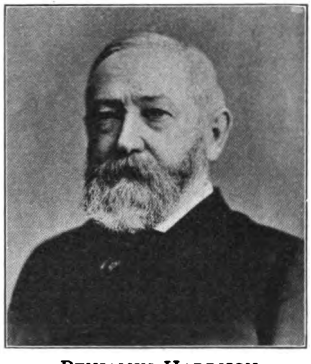
not drawn strictly on this issue until after December, 1887, when President Cleveland devoted his entire message to a plea for tariff reform. In this document he used the oft-quoted statement, "It is a condition which confronts us, not a theory." During the following spring (1888) the Democratic House passed the Mills Bill, providing a tariff for revenue only, but the Senate favored a tariff even higher than that in use.

Dewey, *Financial Hist.*, § 181.

Taussig, *Tariff Hist.*, 251–255.

408. The Election of 1888. — In the presidential election of 1888 all other questions were subordinated to that of the tariff. Cleveland was renominated by the Democrats, but failed to draw as large a part of the independent vote as in 1884. Benjamin Harrison of Indiana was elected by a comparatively close vote on a distinctively protectionist platform.[1] Harrison, a conscientious man, who had been long in public life, was the grandson of President William Henry Harrison. Although he had few peers in making short addresses to public audiences, he possessed little tact and magnetism in dealing with individuals. His most prominent cabinet official was James G. Blaine, who conducted important negotiations with Great Britain and Italy and took a prominent part in Pan-American affairs (§§ 416–418).

Election of Harrison.



BENJAMIN HARRISON

Peck, *Twenty Years*, 155–165.

Stanwood, *Presidency*, Chapter XXIX.

The Fifty-first Congress, elected in 1888, was one of the most memorable in our history. It possessed a Republican majority in both houses — the first time that any party had been in power since 1876 — but the majorities in both houses were very small. The House selected Thomas B. Reed of Maine as speaker. Since some Republicans were always

New House rules.

Follett, *Speaker of the H. of R.*, 190–216.

[1] The electoral vote was 233 to 168, but Cleveland's plurality on the popular vote was 98,017.

absent the Democrats sought to "filibuster" and prevent the transaction of business by failing to respond to their names when the roll was called. In order to obtain a quorum Reed ruled that any member who was in the Hall of Representatives should be counted as present whether he responded to his name or not. This and other acts destined to destroy the "rights of the minority" were received with protests so loud that the title "Czar" Reed was thereafter applied to the big man from Maine.

Protection and reciprocity.

Coman, *Industrial Hist.*, 301–302.

Dewey, *Financial Hist.*, § 187.

Larned (ed.), *Ready Ref.*, IV, 3085–3089.

409. The McKinley Tariff (1890). — This Congress enacted three laws which were of particular importance. One of these was a silver act (§ 412), another the so-called Sherman Anti-Trust law (§ 450). The third was the McKinley tariff reported in the House by the chairman of the Ways and Means committee, William McKinley. In its final form it was the most distinctively protective act ever passed by Congress. The rates were especially high on manufactures of wool and cotton. As there had been a large surplus of revenues over expenditures for several years, the free list was enlarged greatly, sugar being the most important commodity admitted free for the first time. To protect the growers of sugar in the United States a bounty of two cents a pound was to be paid on all sugar produced in this country. The tariff also provided for reciprocity by permitting the president to increase the duties on certain articles imported principally from Latin America, if any country discriminated against our exports.[1] The tariff was not approved by many moderate Republicans and was one cause of the decided reaction against that party in the following election.

Election of 1892.

Stanwood, *Presidency*, 491–518.

In the election of 1892 the Republicans indorsed their policy of protection and the Democrats came out emphatically for a revenue tariff. Cleveland and Harrison were again the candidates. The campaign was unusually quiet, but it was found when the votes were counted that, as in 1890, the Democrats had carried a large number of normally Republican states.

[1] These articles were sugar, molasses, tea, coffee, and hides.

410. The Gorman-Wilson Tariff; the Income Tax (1894). — The Democratic platform in 1892 had contained an unequivocal declaration for a revenue tariff. To redeem this pledge a tariff bill was introduced in the House by William L. Wilson, chairman of the Committee on Ways and Means. Rates on protected articles were much lower than in the McKinley Act, although still high; while many articles, such as raw wool, coal, and iron ore were placed on the free list. In the Senate the Wilson Bill was altered by the committee under Senator Gorman so that most of the revenue features were removed and high protective rates were re-established on many manufactured articles. As the Democratic majority was not united, a combination of members from both parties passed the bill in this form and finally compelled the House to adopt practically the same measure, on the promise that the Senate would consider bills to place coal, wool, and other articles on the free list. President Cleveland was unwilling to add his signature to so un-Democratic a measure, but, believing it to be better than the McKinley tariff, allowed it to become a law without his signature.

Gorman-Wilson tariff.

Dewey, *Financial Hist.*, § 192.

Larned (ed.), *Ready Ref.*, IV, 3087-3089.

The most interesting provision of this act was an income tax of two per cent levied on all incomes in excess of $4000. This measure was desired by the South and West, which feared and distrusted the capitalists of the East. It was denounced as a class measure aimed at persons of wealth, but the exemption of incomes below $4000 was justified on the ground that capitalists paid less in proportion to their ability than other members of society. The law was set aside by the Supreme Court because it held that all income taxes were direct taxes which must be levied according to population.[1] This decision caused widespread dissatisfaction throughout the agricultural sections of the country. The loss of revenue, estimated at $40,000,000 a year, seriously hampered the national government at a time when the ordinary revenues were reduced greatly, and there

Income tax and its constitutionality.

Dewey, *Financial Hist.*, § 192.

Larned (ed.), *Ready Ref.*, VI, 554-557.

[1] Constitution, Art. I, § 9, cl. 4.

was a constant demand on the gold in the treasury in exchange for paper money.[1]

Dingley tariff.

411. The Dingley Tariff (1897). — As the Republicans were successful in the election of 1896 (§ 414) and desired to revise the tariff at the first opportunity, a special session of Congress was called in March, 1897. In July a tariff was adopted which marked a return to many of the rates used in the McKinley tariff of 1890, although some of the rates represented a compromise between the rates adopted in 1890 and those of the Gorman-Wilson tariff. This Dingley tariff provided for two forms of reciprocity: (1) The president was authorized to levy duties on certain imports that otherwise would come in free from semi-tropical countries which discriminated against American exports. (2) By reciprocity treaties the president and Senate, with the approval of Congress, might reduce by twenty per cent the rates on a few articles in return for concessions made to our trade by foreign powers. Numerous treaties were negotiated under this clause, but only two of these were ratified. As the Republican party remained in power for several years after 1897, no important change was made in this tariff. A few Republicans wished to lower the very high protective rates, but the majority opposed any reduction.

Larned (ed.), *Ready Ref.*, VI, 581–582.

Taussig, *Tariff Hist.*, 324–328, 348–360.

The Silver Controversy (1893–1897).

Conditions at Cleveland's inauguration (1893).

412. Repeal of the Sherman Silver Act. — Cleveland began his second term under unfavorable circumstances. The finances of the national government were in an unsatisfactory condition, foreign affairs were still complicated, business was unsettled, the people were uneasy, and the

[1] The excess of expenditures over revenue for the year 1893–1894 was seventy millions and for the last three years of Cleveland's administration about eighty-five millions. To meet this deficit and supply gold for the gold reserve, bonds were sold aggregating in value $262,000,000. One issue of sixty-two millions was sold secretly to a "bond syndicate" which agreed to import gold and to prevent gold from being withdrawn from the treasury for a period. This sale was probably the most criticised of the many unusual acts of this administration.

willingness and ability of the government to redeem its obligations in gold were questioned. Cleveland selected as his Secretary of State Walter Q. Gresham, a former Republican, without experience in diplomatic affairs. Most of the other members of his cabinet were unknown men, although events proved their ability.

Peck, *Twenty Years*, 306–325.

In 1890 the Bland-Allison Act (§ 391) had been replaced by a new silver law which was passed by Congress as a substitute for a free silver measure desired in the West. This law, called the Sherman Silver Act, authorized the treasury department to purchase 4,500,000 ounces of silver a month, paying for it in certificates which were full legal tender and which were redeemable in either gold or silver at the option of the department.

Silver law of 1890.

Dewey, *Financial Hist.*, § 186.

INAUGURATION OF CLEVELAND (1893)

The passage of this act, coupled with business changes during the years 1890–1892, had a decided influence on the gold reserve of the treasury. Since the resumption of specie payments (1879) (§ 390), it had been the custom to keep at least $100,000,000 in gold always on hand for the redemption of notes issued on the credit of the United States. Comparatively few of these had been presented prior to 1890, but after 1890 the amount of the gold reserve declined steadily. President Cleveland believed that this unfortunate state of affairs and the uneasiness caused among business men by the low state of the revenue was due chiefly to the purchase of silver required under the Sherman Act. He did

Difficulty in maintaining the gold reserve.

Dewey, *Financial Hist.*, §§ 188, 189.

Noyes, *Thirty Years of Am. Finance*, 153–173.

not call a special session of Congress, however, until more than a month after the commercial unrest had brought on a panic in May, 1893 (§ 454), until, in fact India closed her mints to the free coinage of silver. The House voted for repeal without delay, but the silver men in the Senate held out over two months before they would permit the Sherman Act to be repealed.

Causes.

Peck, *Twenty Years*, 448–453.

413. The Free Silver Movement in the West. — During the years preceding 1893 there were numerous indications of a serious movement throughout the West against the commercial interests of the East and against the financial policy of the national government. In 1890 and in 1892 several states had been carried by voters known as "populists," who favored a change. With the hard times that began in 1893 and lasted for several years, the movement became more aggressive and almost universal throughout the states from the Missouri River to the Pacific coast. From all parts of the West arose a demand for government relief from the financial ills that oppressed the people. At first the demand was for the redemption of all paper money at Washington in silver as well as gold; but later, especially after the Sherman Silver Act had been repealed, the cry arose for "free silver." In fact, many of the westerners urged the issuance of paper money on an extensive scale.

Development of the silver movement.

Thousands of editors, politicians, and public speakers discussed this question until even the children felt that the wrong done to the West by the administration and Wall Street could be righted only by the free coinage of silver at the ratio of sixteen to one. Most of the western farmers were deeply in debt, but had struggled along cheerfully in spite of high rates of interest, heavy charges for transporting their grain to an eastern market, and the manipulation of the market by speculators to the great loss of the grain grower. But natural as was their anger against capital and the administration, it was unfortunate that they should have selected "free silver" as the sole remedy for the conditions existing in that section.

Dewey, *Financial Hist.*, § 194.

Peck, *Twenty Years*, 453–464.

414. Election of 1896. — So formidable had this free silver movement become that it dominated the political situation in 1896. The most ardent advocates of free silver were the "Populists,"[1] who were preëminently a cheap money party, advocating the free coinage of silver at a legal ratio of sixteen to one and the issuance by the government, without intervention of the banks, of paper money in large quantities. The Republicans, who held their convention earliest, sought to subordinate the question of money to that of protection. They declared their opposition to the free coinage of silver except by international agreement with the leading nations of the world. William McKinley of Ohio was their nominee for the presidency. The Democrats met at Chicago, the silver and the anti-silver men striving for control. The silver men outnumbered their opponents easily and succeeded in adopting a free-silver plank for their platform. During the course of the debate on silver a speech of remarkable power was given by William J. Bryan of Nebraska.[2] Bryan was nominated subsequently not only by the Democratic convention, but by that of the People's party and by the silver Republicans who "bolted" the Republican ticket. The Democrats and the Populists, however, nominated different candidates for the vice presidency. Many gold Democrats supported the Republican

Party conventions.

Andrews, *Our Own Time*, 773–780.

WILLIAM J. BRYAN

[1] This name was given commonly to members of the People's party.

[2] The most dramatic passage in this historic oration was that in which he declared, "We answer the demand for the gold standard by saying, 'You shall not press down upon the brow of labor this crown of thorns. You shall not crucify mankind upon a cross of gold.'"

ticket, but others held a convention at Indianapolis and selected nominees of their own.

Campaign and election.

The campaign was one of great vigor and intense interest. Bryan visited almost every state in the Union, making speeches everywhere along the route. The Republicans relied on a "campaign of education," but both sides scattered cartoons and documents broadcast. Each party

Dewey, *Financial Hist.*, § 194.

claimed to favor the only form of "sound money." The returns showed that party lines had been abandoned everywhere and that the sections had voted solidly for the candidate that seemed to champion their interests. McKinley carried the North as far west as the Missouri and obtained the electoral votes of Maryland, West Virginia, Kentucky, and two Pacific states in addition, a total of 271. Bryan had large majorities in all the mountain, western prairie, or distinctively southern states, 176 electoral votes in all. The total popular vote polled was larger than that in either 1900 or 1904.

McKinley's policy.

415. Republican Policies. — The tidal wave of 1896 gave the Republicans control of all branches of the national government — a control which they maintained and

strengthened for many years owing to the dissensions in the Democratic ranks. McKinley, who was by temperament fair-minded and conservative, surrounded himself with a cabinet which contained during the first part of his administration men like John Sherman and William R. Day, and later included those exceedingly able statesmen, John Hay and Elihu Root. McKinley sought to conciliate the different interests at home and to prevent unnecessary complications abroad. The chief event of his administration was the conflict with Spain which changed many national policies (§§ 428–431.)

WILLIAM MCKINLEY

No change was made in the financial system of the United States until in 1900 a law was passed revising part of the system. Gold was declared to be the money standard, and all forms of money are to be maintained at a parity with gold. The national paper currency was reduced in amount and reissued only in exchange for gold. The old bonds bearing three, four, or five per cent interest which had almost reached maturity might be exchanged for new thirty-year two per cent bonds. National banks might be organized more easily and might issue notes on more liberal terms.

Financial law of 1900.

Hart, *Contemporaries*, IV, No. 172.

Larned (ed.), *Ready Ref.*, VI, 639–641.

Dewey, *Financial Hist.*, §§ 198–201.

FOREIGN AFFAIRS (1865–1895)

416. Disputes with England.—During the first administration of Cleveland most of our foreign disputes were with Great Britain. The more acute of these dealt with the northeastern fisheries and was settled at this time, the other was concerned with the fur seals of Bering Sea and was not decided until 1893. It will be recalled (§ 170) that at the close of the Revolution the New England states

Fisheries disputes.

Cambridge Mod. Hist., VII, 657–659.

Larned (ed.), *Ready Ref.*, II, 1121–1122.

Andrews, *Our Own Time*, 508–515.

Hart, *Contemporaries*, IV, No. 173.

McGrath, P.T., in *New England Mag.*, 33 (1906), 625–630.

desired a continuance of the profitable fisheries off Newfoundland. The liberal privileges granted to the United States in the treaty of 1783 were declared to be forfeited when war broke out in 1812, and in 1818, when the matter was readjusted, the United States was obliged to surrender her claim to most of the " inshore " fisheries. There was continued dispute over the interpretation of the convention of 1818 and several attempts were made to gain further rights, notably in the important treaty of Washington (1871) [1] by which the United States gave a free market to all Canadian fish and gained the right to fish off the coasts of the British colonies for ten years, on payment of $5,500,000.[2] When these privileges lapsed, peaceful relations were disturbed by the seizure of American fishing vessels which trespassed on forbidden ground. After much hard feeling the matter was settled by giving special privileges to those American fishermen who took out licenses in Canada. From 1890 to 1905, fishing privileges were acquired by special agreements with Newfoundland, but these continued until 1905 only.

Seals in Bering Sea (1886–1893).

Larned (ed.), *Ready Ref.*, V, 3581–3582, VI, 51–53.

Amer. Hist., Leaflets, No. 6.

The fur seals of certain islands in Bering Sea which belonged to the United States were very valuable, but the raids of irresponsible parties threatened the destruction of all the herds. To avoid such a catastrophe, the United States sought to prevent Canadian vessels from taking furs on or near these islands. It was claimed at first that Bering Sea was a closed sea, but this claim was not recognized as legal, and we agreed finally to a compromise which allowed the Canadian sealers to take furs at a distance of not less than sixty miles from the islands.

New Orleans riot.

417. Italy and Chile (1891). — During the year 1891 the United States became involved in difficulties with Italy and

[1] This treaty of Washington not only settled the controversy over the fisheries, but arranged for the arbitration of the claims due to losses caused by the *Alabama* and other cruisers (§ 361, note) and for the arbitration of the boundary line in Puget Sound.

[2] This award was made at Halifax in 1877.

Chile. The former grew out of the assassination in New Orleans of the chief of police by members of a Sicilian secret organization called the Mafia. Perhaps because they feared the vengeance of other members of the society, the jury failed to convict any of those held for the murder. The accused Italians were straightway lynched by indignant people. As some of them were citizens of Italy, the Italian government immediately demanded an indemnity and the punishment of the lynchers. Secretary of State Blaine informed the Italian minister that the punishment of the offenders must take place in the state courts, as the United States government has no jurisdiction in cases of that kind. When Louisiana failed to do anything, the Italian minister withdrew from Washington and peaceful relations were maintained only by the granting of an indemnity. This incident illustrates the difficulty encountered by the national government in negotiating with foreign countries concerning subjects left exclusively to the states.[1]

Andrews, *Our Own Time*, 566–574.

In Chile a revolution was in progress, the president and a congressional party striving to gain political control of the republic. The United States seized the *Itata*, a war vessel belonging to the congressional party, which had stopped at San Diego harbor. This enraged the congressional party, who were aroused further by the biased action of our minister to Chile in favor of the presidential faction. So bitter was the feeling against the United States that when sailors and marines from the U.S.S. *Baltimore* landed at Valparaiso, they were attacked by a mob and several killed or wounded. Our demand for reparation was not accepted until after a stable government had been organized in Chile. Unfortunately this was not the only time when one of our South American neighbors believed that the United States would like to dominate her affairs.

Dispute with Chile.

Andrews, *Our Own Time*, 574–576.

[1] A much more recent instance of the complications that may be furnished by our Federal system of government occurred in 1907. The board of education in San Francisco excluded Japanese students from the schools of that city. Japan complained that this was contrary to our treaty with

Something has been done, however to remove that impression.

Panama Congress (1826).

Foster, *Am. Diplomacy*, 451–454.

Burgess, *Middle Period*, 147–155.

418. Pan-American Affairs. — Suggestions for the holding of congresses for the consideration of Pan-American matters had been made since the Spanish colonies freed themselves from Spain early in the century. The first of these was held at Panama in 1826 for the purpose of forming an alliance of the Latin-American states in their contest with Spain. The United States was asked to send delegates, although it was expected that we should have no share in the alliance. After a bitter debate in the Senate the nominations of the delegates appointed by President Adams were confirmed by that body. Most of the senators objected on the ground that we should avoid alliances of any kind, but the Senate agreed because we were not intending to ally ourselves with the new Spanish-American republics. Our delegates did not reach Panama before the conference dissolved and the proposed alliance came to naught. Later congresses of Latin-American states were held, without important results.

Pan-American Conferences (1889–1906).

Andrews, *Our Own Time*, 566–574.

Casasus, J. D., in *Annals of Am. Acad. Pol. Sc.*, Sup. May (1906), 5–13.

The United States did not take part in the work of any congresses until 1889. Delegates from the republics in the new world met in conference at Washington in October, 1889, and selected as chairman Secretary Blaine, who had tried to secure a Pan-American conference in 1881. This conference was followed in 1900 by one held in the city of Mexico. The third Pan-American conference met at Rio Janeiro in 1906. The results of the meetings have been important, although the delegates have made no laws and the different countries have not always acted on the suggestions offered. Because of these conferences a better understanding exists among the nations of the new world. Commerce has been pro-

her. Trouble was averted only by a conference at Washington between President Roosevelt and the members of the board, in which the board agreed to allow Japanese students in the schools of San Francisco in return for possible restrictions on the immigration of Japanese laborers to the United States.

moted, especially by the establishment of a bureau of the American republics which collects and publishes information regarding trade. Most of the countries have agreed to use every effort to preserve peace and the most important nations have given their consent to a plan for the compulsory arbitration of debts owed by any government to citizens of another country.

Samoa (1878–1899).

419. The United States in the Pacific. — Harrison's administration is notable not alone for the interest we were beginning to take in our southern neighbors, but because in the south Pacific we were engaging with other nations in a method of political control hitherto foreign to our policy. This was done in the establishment of a joint protectorate over the group of Samoan Islands. In 1878 we had obtained Pago Pago harbor as a coaling station, but our commerce with the islands was not large, and it was not until 1889 that the attempt of Germany to control the king of the island forced the United States into a joint protectorate for Samoa with Germany and Great Britain. This did not work well, and by 1898 a situation had developed that was little better than civil war. By common consent (1899) the joint protectorate was dissolved, Tutuila Island with Pago Pago harbor being given to the United States and the rest of the islands going to Germany, who compensated Great Britain for her share.

Cambridge Mod. Hist., VII, 661–663.

Larned (ed.), *Ready Ref.*, VI, 431–434.

Foster, *Am. Diplomacy in Orient*, 386–398.

Relations with Japan.

Since Admiral Perry's fleet in 1854 had sailed into the harbor of Tokio, Japan, and the Mikado had agreed to open the ports of that nation to the American fleets, the United States has taken a great interest in the affairs of the far East. The Samoan agreement brought us more closely into touch with other world powers than we had been before, and in a sense, it marks the beginning of a new era in the history of our foreign relations.

Foster, *Am. Diplomacy in Orient*, 146–169.

United States and Hawaii before 1893.

420. Hawaii. — Americans have been interested in the Hawaiian Islands since the first part of the nineteenth century. After the Civil War there was a growing sentiment in the United States that the islands must never be controlled

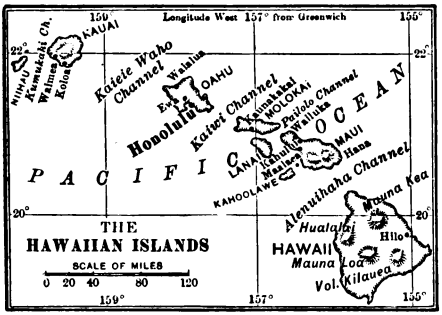
Andrews, *Our Own Time*, 700–704.

Foster, *Am. Diplomacy in Orient*, 370–378.

by any European power. On account of a desire for free trade with Hawaii, a reciprocity treaty was signed in 1876, but we did not interfere with the government of the islands, which had become more liberal because of the demands of white residents.

Revolution of 1893.

Early in 1893 there occurred in the Hawaiian Islands a revolution which drove from the throne the reigning queen, Liliuokalani. The queen desired a new constitution which restored the old form of government in which the people should have comparatively little power. The white population of the island resisted this attempt to alter their government and deposed the queen. During the confusion accompanying this change, the American minister authorized the landing of marines from the cruiser *Boston* in order to protect the property of Americans. It was claimed by many that the overthrow of the monarchy and the establishment of the provisional government was due chiefly to this action of the American representative. A treaty was drawn up without delay providing for the annexation of Hawaii to the United States and was submitted by President Harrison to the Senate during the closing days of his term.



Cambridge Mod. Hist., VII, 667–668.

United States and Hawaii (1893–1898).

Peck, *Twenty Years*, 243–248, 331–335.

Before action had been taken in the Senate the treaty was withdrawn by President Cleveland, and a special commissioner, James H. Blount, was sent to investigate the revolution. By Blount's orders the flag of the United States was hauled down, and, on his recommendations, plans were made for the restoration of the queen. These failed because the new government refused to relinquish its authority and

because the queen desired the death of all engaged in the revolt against her. The President's policy was not popular and in 1894 he recognized the newly organized republic of Hawaii. In 1897 another treaty providing for annexation was signed, but it failed of ratification. Not until the events leading to the Spanish-American War forced us to abandon our old policy of semi-isolation from affairs of world-wide importance did Hawaii become part of the United States (1898) through joint resolution of the houses of Congress.

Foster, *Am. Diplomacy in Orient*, 378–385.

421. The United States and European Interference.— During the last half century there have been two conspicuous instances of European interference with the affairs of Spanish-American republics to which we have objected. The first of these occurred in Mexico during the Civil War, the second grew out of the boundary dispute in Venezuela.

Two applications of the Monroe Doctrine.

During the Civil War Napoleon III of France, under pretext of collecting certain debts, forced upon the Mexicans an Austrian prince named Maximilian, who was maintained as Emperor of Mexico by the use of the French army. Being fully occupied with the prosecution of the war, and anxious to avoid difficulty with France, the government at Washington felt it unwise to do more than refuse to recognize Maximilian's government and mildly protest against Napoleon's course. After Appomattox the case was different. An army of observation under Sheridan was dispatched to the Rio Grande, and disapproval of French actions clearly expressed. Finally, on December 1*p*, 1865, Secretary Seward sent to France a peremptory note, stating that the policy of friendship for France would "be brought into immediate jeopardy, unless France could deem it consistent with her interest and honor to desist from the prosecution of armed intervention in Mexico to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country." After a little hesitation Napoleon agreed to withdraw his troops;

The French in Mexico (1866).

Foster, *Am. Diplomacy*, 401–403.

Lothrop, *Seward*, 387–395.

and, when that was done, the Mexican Empire came to an end, Maximilian being put to death.

Venezuelan boundary dispute before 1895.

422. Dispute over the Boundary of Venezuela (1895).— Since the early part of the century, there had been a dispute over the location of the boundary line between British Guiana and Venezuela. This had never been located, although repeated attempts had been made, especially after 1841, to reach some agreement. The disputed territory included a large area in the interior, in which gold had been discovered, and a strip along the mouth of the great Orinoco River. Venezuela proposed arbitration, but the British government refused at first such a settlement of the question, and later agreed to that method only on condition that Venezuela should admit the validity of most of England's claim before submission to arbitrators.

Cambridge Mod. Hist., VII, 670–671.

RICHARD OLNEY

Correspondence over Venezuela.

The disparity in strength between Great Britain and Venezuela, the danger that Venezuela might be forced to surrender some of her territory to Great Britain, as well as the interest of the United States in the controversy, seemed to President Cleveland and Secretary of State Olney sufficient ground for interference. Secretary Olney accordingly wrote to Lord Salisbury (1895), explaining at length the nature of the Monroe Doctrine and asserting our right to protect Venezuela from the forcible seizure of the territory in dispute. Lord Salisbury answered that the Monroe Doctrine was simply a policy of the United States, that it was not a part of the law of nations, and that, in any case, it was not a sufficient reason for American interference.

Hart, *Contemporaries*, IV, No. 179.

Latané, *U. S. and Sp. Am.*, 272–277.

Cleveland's message.

Soon after receiving this reply, President Cleveland sent a special message to Congress (December 17). He stated that since Great Britain had been unwilling to submit the

dispute to impartial arbitration, it was now the duty of the United States to determine the location of the true boundary line. He recommended a commission appointed by the executive to investigate the question and render a report. "When such report is made and accepted it will, in my opinion, be the duty of the United States to resist by every means in its power, as a willful aggression upon its rights and interests, the appropriation of any lands or the exercise of governmental jurisdiction over any territory which after investigation we have determined of right belongs to Venezuela."

Cambridge Mod. Hist., VII, 672.

Cleveland, *Pres. Problems*, 269–273.

423. Settlement of the Venezuela Controversy. — This forceful language aroused great enthusiasm in America, but for a few days there was considerable excitement because of the belief that war with Great Britain might follow. After the commission was appointed Great Britain agreed to arbitrate the dispute, on condition that each country should have the lands which its citizens had occupied for fifty years. This gave a large part of the inland territory in dispute to Great Britain without further controversy. The tribunal which fixed the line decided, however, that Venezuela should control the territory on both sides of the Orinoco.

Settlement of the controversy.

Cleveland, *Pres. Problems*, 273–281.

Larned (ed.), *Ready Ref.*, VI, 690–693.

The Venezuelan dispute emphasized the fact that the Monroe Doctrine is not simply the doctrine announced by Monroe in 1823, but that it includes those important policies which we are obliged to follow, for our own safety and interest, in dealing with our American neighbors. It is a recognized principle that no great European power shall decide territorial controversies with the weaker American states to its own advantage. We do not permit one of the great nations to occupy or retain the territory of a republic of this continent to guarantee the payment of debts owed in Europe. On the other hand, we do not object to the use of force if necessary to collect debts that a Spanish American state may refuse to pay nor do we interfere in ordinary disputes between the nations of the old world and the new, although

Monroe Doctrine at present.

Outlook, 79 (1905), 366–368

No. Am. Rev., 180 (1905), 586–601.

we always offer our services in the settlement of the controversy.

General.

424. Summary. — The decade which closed with 1897 is noteworthy as a transition period. It was the end of an era of growth that was almost exclusively national in character. It was a time of change in politics, in business, and in society. People were dissatisfied with their political parties and their government's methods in dealing with internal and foreign questions. The American people felt apparently that they had attained their majority, and desired to cast aside the old methods which belonged to the childhood of the nation.

Social problems.

During the period the Mormon question was settled by prohibiting polygamy; that of the Chinese was solved temporarily by harsh laws excluding natives of China.

Political issues.

Politically the period may be divided into two parts. (1) The dominant issue from 1886 to 1894 was the tariff. In 1890 a high protective tariff was adopted. Four years later the Democrats passed the Gorman-Wilson tariff, but with Republican success in 1896 this gave place to the Dingley protective tariff. (2) From 1894 to 1896 the free-silver movement obscured every other, but the campaign of 1896 and the return of prosperity soon after removed silver from the live issues of the time.

Foreign affairs.

The foreign questions of the period were more important than at almost any other time since 1815. Most of our ordinary disputes were settled without great difficulty. Two questions, those of Samoa and Venezuela, showed a desire on the part of the officials and people to take an active part in world affairs from which we had heretofore held aloof.

TOPICS

1. THE SILVER ACT OF 1890: White, "Money and Banking;" Noyes, "Thirty Years of American Finance," pp. 158–(181); Taussig, "The Silver Situation," pp. 48–71; Sherman, "Recollections of Forty Years," pp. 1061–1071, 1175–1200.

2. THE VENEZUELA CONTROVERSY: Peck, "Twenty Years of the Republic," pp. 412–436; Larned (ed.), "History for Ready Refer-

ence," VI, pp. 684–693, 557–560; Cleveland, "Presidential Problems," pp. 173–273.

3. ELECTION OF 1896: Stanwood, "History of the Presidency," Chapter XXXI; Peck, "Twenty Years of the Republic," pp. 465–517; Larned (ed.), "History for Ready Reference," VI, pp. 563–574.

4. THE NORTHEASTERN FISHERIES: Schuyler, "American Diplomacy," 404–420; Lodge, H. C., in *No. Am. Rev.*, 146 (1888), 121–130; McGrath, P. T., in *Atlantic Monthly*, 90 (1902), 741–748; Edmonds, G. F., in *No. Am. Rev.*, 128 (1879), 1 *et seq.*; Snow, F., in *Forum*, 4 (1888), 343–356; Henderson, "American Diplomatic Questions."

STUDIES

1. Kearney and the sand lot riots. (Andrews, "The United States in Our Own Time," pp. 360–381.)

2. Thomas B. Reed (Knight, E., in *New England Magazine*, 30 (1904), pp. 215–224.)

3. Populist platform (1892). (Stanwood, "History of the Presidency," pp. 509–513.)

4. Government sales of bonds. (Cleveland, "Presidential Problems," pp. 121–172.)

5. Bryan's "Cross of Gold" speech. ("Masterpieces of Eloquence," Vol. 25, pp. 10735–10745.)

6. The Chilean controversy. (Hart, "Practical Essays on American Government," pp. 98–132.)

QUESTIONS

1. Can you justify the course of the national government toward the Chinese? toward the Mormon church?

2. Make a table showing the changes in the tariff since the Civil War? Would it be better if business men rather than politicians decided tariff rates? What are the chief objections to a highly protective tariff? to one exclusively for revenue?

3. What was the purpose of the Panama Congress (1826)? How has the object of the later congresses been different? To what extent do the American countries trade with one another? To what extent have they a community of political interests?

4. What has been the importance of the Hawaiian Islands to the United States? Was the success of the Hawaiian revolution due to the influence of American marines? Was there any difference between the significance of annexation in 1893 and in 1898?

5. What European countries have income taxes? Was the tax of 1894 a class measure? Should not some of our taxes be progressive, *i.e.* with a higher rate for those whose assessment is large?

6. What is the chief cause of agitation for cheap money? To what extent was the free-silver movement in 1894 similar to the greenback movement of 1877? What was the result of the movement in each case?

7. Place in the note book a complete summary of each of the following topics, showing the sections of the text in which details may be obtained: the tariff, laws relating to money, Monroe Doctrine.

CHAPTER XXI

EXPANSION (1897–1904)

PRESIDENTS

William McKinley (1897–1901) Theodore Roosevelt (1901–1909)

Readiness for change (1897)

425. Fundamental Changes in the United States after 1897. — The years 1897 and 1898 marked the transition from the old era to the new. The old nation, which had emerged triumphant from the long struggle with state sovereignty twenty years earlier, had completed the task of destroying slavery and most of the other dangers which threatened the development and continuance of a true nation. It had attacked and in many cases had solved temporarily pressing political problems, such as the tariff, silver, and civil service difficulties. New industrial and commercial methods were coming into use. The nation, instinct with life and energy, needed new outlets for its products, sought new fields of activity, political and commercial, demanded new policies that were based on recognition of our real position as a nation and not on precedent. For several years there had been evidence of a readiness to abandon our former position of semi-isolation from the affairs of the world powers. The opportunity to adopt a new international policy came when we felt impelled not alone for self-protection but in the interests of humanity to intervene in Cuba.

New imperial policy.

The war which followed gave the new American spirit a chance to express itself in many ways. We annexed new territories which were densely populated by people of races alien to our own, by people who were inexperienced in the art of self-government. A new colonial policy was formulated to meet the needs of these dependencies, although this policy involved on a large scale imperial principles which

we had considered odious hitherto and which we had used reluctantly. The establishment of this colonial policy involved a new construction of the Constitution which will react inevitably on the government of the United States proper by increasing centralization and by decreasing the right of the states and of individuals.

Industrial consolidation.

The new imperial policy of the United States was of scarcely greater importance than the industrial changes which took place at this time. With the great consolidation of capital engaged in industry or commerce in the form of great trusts or railway combinations, the country began a new period marked by limited competition, extensive production, and wider markets. To protect the public from the exorbitant changes or unjust methods of these combinations has been and is now one of the chief problems of our national government and of the governments in many of our states.

The Spanish–American War

Importance of Cuba to the United States.

426. Our Relations with Cuba before 1895. — The location of Cuba has made that island of the first importance in the history of the United States, since we acquired territory in the Mississippi basin and along the Gulf of Mexico. Standing at the entrance to those two inland seas, the Gulf and the Caribbean, both of which become of infinitely greater value to us with the construction of an isthmian canal, Cuba has interests inseparable from those of the United States. We could permit Cuba to remain a Spanish colony because Spain was no longer a factor in the world's affairs, but we could not and cannot permit Cuba to become the dependency of any of the great European nations. To many people the annexation of Cuba by the United States has been considered the only safe solution of this vexed problem.

Cf. Mahan, *America in Sea Power*, 271–314.

The Ten Years' War (1868–1879).

Among the colonizing nations of the world Spain has been notorious for the wretched government of its provinces. Cuba suffered most of the abuses borne by Spanish colonies, due to harsh laws, arbitrary administration, failure of justice,

official greed, and universal corruption. Many revolts had occurred in order to gain greater liberty and lower taxes. The greatest of the revolts before 1895 was the so-called "Ten Years' War," an insurrection that started in 1868, but was confined almost exclusively to the eastern part of the island. When the United States protested against the fruitless struggle, Spain's captain-general in Cuba, Campos, agreed to grant autonomy. But after the insurgents had laid down their arms, the Spanish government refused to carry out the promises of Campos. During this struggle war was averted narrowly when the *Virginius* was captured on her way to Cuba, and Cuban officials shot many of her crew who were Americans.

Titherington, *Sp.-Am. War*, 29–40.

Latané, *U. S. and Sp. Amer.* 136–174.

427. United States and Cuban Insurrection (1895–1896).— In February, 1895, insurrection again broke out. This time all Cuba was affected and the cry of *Cuba Libre* was echoed from every part of the island, for few longer put faith in the promises of the Spaniards. Spain sent large numbers of troops who could accomplish little against the guerrilla bands of the Cubans, although they outnumbered the insurgents regularly in the field at least four to one. The difficulty was to find an enemy whom they could strike. In despair General Weyler sought to crush the rebellion by ordering (1896) the concentration of all non-combatants in camps near the larger cities. Through this "reconcentrada" policy the insurgents were crippled somewhat, but the suffering of the innocent women and children, huddled together without means of earning enough for food, defeated not only the immediate purpose of Weyler, but was the signal for the overthrow of Spanish rule in America. In the interest of humanity the United States was compelled to assert herself.

Insurrection of 1895.

Larned (ed.), *Ready Ref.*, VI, 171–175.

Titherington, *Sp.-Am. War*, 43–56.

From the beginning of this insurrection there was a pronounced sentiment among many Americans in favor of recognizing the belligerency of the Cubans if not the independence of the Cuban republic. This sentiment was reflected in Congress, both houses of which desired to have President Cleveland use his good offices for the recognition of both

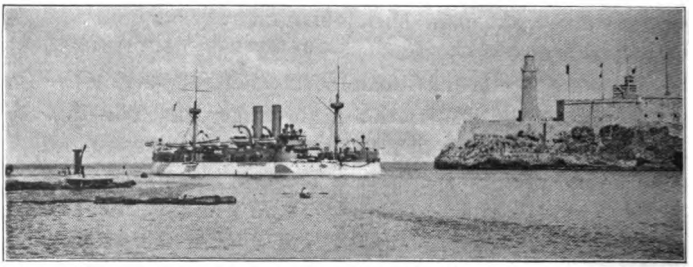
Cleveland and Cuba.

Lodge, *War with Spain*, 13–23.

belligerency and independence. The President did not see fit to take any action and when (December, 1896) Congress was on the point of declaring that Cuba was independent, Cleveland and Olney made it clear that they should disregard any resolution passed in Congress to that effect. In his last message to Congress, however, the President stated that a prolongation of the war might require our intervention in Cuba.

McKinley and Cuba.

428. Dangers to American Interests in Cuba (1897–1898). — President McKinley took nearly the same view of



THE *Maine* ENTERING HAVANA HARBOR

Lodge, *War with Spain*, 23–28.

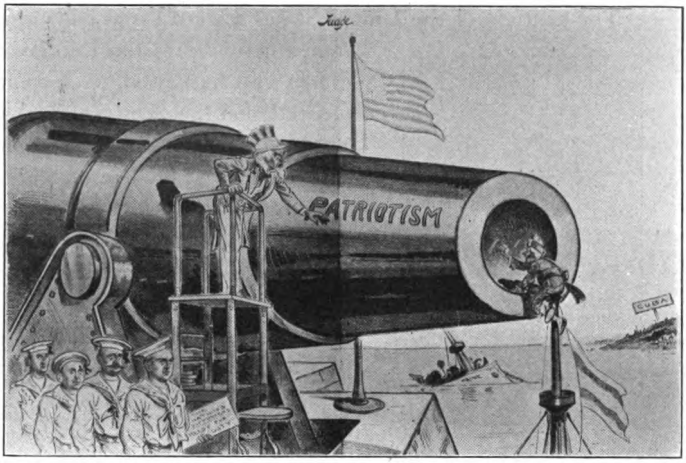
the Cuban question as his predecessor, although his efforts in behalf of American prisoners afforded better protection to those who had business in Cuba. During 1897 the Spanish prime minister was assassinated and a Liberal ministry was formed under Sagasta, which recalled Weyler and endeavored to pacify the island by offering home rule to the Cubans. This offer was spurned, and by the middle of January, 1898, the disorder in and around Havana had increased to such an extent that the battleship *Maine* was sent to Havana harbor in order to protect American interests.

Destruction of the *Maine*.

Larned (ed.), *Ready Ref.*, VI, 583–585.

On the morning of February 16 the world was shocked to learn that the *Maine* had been blown up at ten o'clock the preceding evening, 266 of her officers and crew being dead. For five weeks, with rare self-control, the nation waited. On March 21 a committee of inquiry reported to the President that the disaster had been caused by the

explosion of a mine outside the vessel. Although the Spanish officials must have known that they had stationed the *Maine* over a mine, no blame was attached to the Spanish government. Even then the people waited for the government to decide when and in what way it would act. Pressure was brought to bear upon Spain to make reparation for this outrage, without result of course.



By courtesy of *Judge*. Copyrighted.

"BE CAREFUL"

Preparations for war.

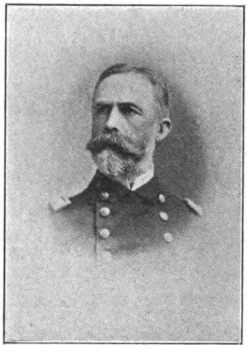
429. The Situation during the Spring of 1898. —Meanwhile active preparations were made for the war which was to be the last resort. On March 9 Congress had voted $50,000,000 for the national defense, to be expended at the discretion of the President. When it became evident that Spain would do nothing, the patience of the people was exhausted. President McKinley sought to prevent hostilities, but, on April 11, he was forced by public sentiment to send to Congress his "war message" asserting that "the war in Cuba must stop." After a few days' debate on the exact form of intervention, Congress, on the historic 19th of April, adopted four resolutions: (1) that the people of

Titherington, *Sp.-Am. War*, 70–95.

Cuba were and of right ought to be free and independent; (2) that Spain must withdraw from Cuba; (3) that the President might use force to free Cuba; and (4) that the United States was freeing the island for the Cubans and not for herself. Spain at once severed diplomatic relations with the United States and war actually began April 21, although it was several days before Congress declared that a state of war existed between Spain and the United States.

Attitude of European powers.

The attitude of the United States toward Cuba had been watched carefully by the European powers, who had tried to prevent armed conflict between Spain and America. Most European statesmen believed that the United States was interfering in Cuba in order to advance American interests. They thought therefore that our interference was not justified. On the continent it was expected that Spain would have no difficulty in overpowering our navy, and the attitude of many was distinctly hostile to the United States, until repeated victories silenced opposition. England, however, gave proof of her goodwill from the beginning and used her influence in winning friends for us on the continent.



WILLIAM T. SAMPSON

Peck, *Twenty Years*, 545–554.

Comparison of the combatants.

430. The Beginning of War. — On paper the advantage at the beginning lay with Spain rather than the United States, but the Americans of necessity assumed the offensive. Spain had large numbers of seasoned troops under arms in Cuba, whereas the regular army of the United States consisted of but 25,000 men, many of whom could not be spared for foreign service. Spain's navy consisted of several armored cruisers of high speed and modern equipment, although the navy as a whole was inferior to that of the United States, which included several large battleships.

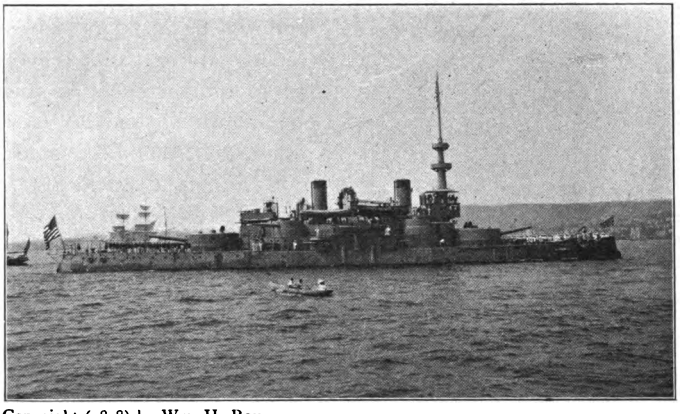
Titherington, *Sp.-Am. War*, 96–114.

After the destruction of the *Maine*, the navy was pre-

pared for possible war. Two fleets were gathered in the north Atlantic. One of these, with most of the battleships and monitors, was commanded by Admiral William T. Sampson; the other, composed of faster cruisers and called the "flying squadron," by Admiral Winfield S. Schley.[1] All vessels in the Pacific were ordered to Hong Kong, where Admiral Dewey made preparations to capture the fleet at Manila in case of war.

Preparing the fleets.

Hart, *Contemporaries*, IV, No. 183.



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THE BATTLESHIP *Oregon*

After war was declared Dewey was obliged to leave the British port at Hong Kong, as he could not remain in the harbor of a nation that had declared itself neutral. He proceeded at once to the Philippines and advanced early on the morning of May 1 against the Spanish fleet. The Spanish were not well prepared for an attack, although their vessels were more numerous than ours and were protected by the batteries located at Cavite and along the shore. A few hours sufficed for the complete destruction of

Manila.

Larned (ed.), *Ready Ref.*, VI, 596–599, 617–620.

Titherington, *Sp.-Am. War*, 364–378.

[1] The battleship *Oregon* was ordered from San Francisco to join the Atlantic fleet and made a remarkable voyage around Cape Horn, the ship covering fourteen thousand miles in sixty-seven days, and reporting for duty without delay, since it arrived in perfect condition.

Lodge, *War with Spain*, 48–67.

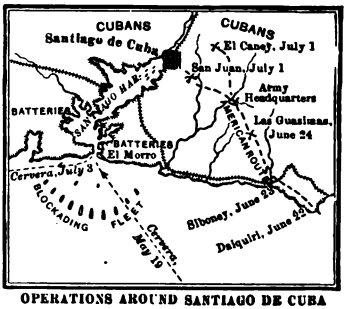
all the enemy's vessels, but no attempt was made at this time to capture Manila, since Dewey could not spare the marines necessary for holding the city. Later in May the first transports left San Francisco with troops for the Philippines, but Manila was not besieged until late in July after fresh reënforcements had arrived. A combined land and naval attack under General Merritt and Dewey led to the surrender of the city August 13, one day after peace articles had been signed at Washington. As the Spanish had controlled a very small part of the islands, their rule in the East was practically over.

GEORGE DEWEY

Cuba.

Lodge, *War with Spain*, Chapters VI–VIII.

431. War on the Atlantic. — At the beginning of the war a blockade of most of the important ports of Cuba was established, in the hope of starving Havana into submission. A sharp lookout was kept for the fleet under Cervera which, it was feared, might attack one of our unprotected coast cities. The fleet was discovered later at Santiago de Cuba, the harbor of which is deep and narrow, with a bottle-like entrance which the blockading fleet sought unsuccessfully to close by sinking a collier, the *Merrimac*, in the entrance. The American fleet now waited outside the harbor until the army threatened the capture of the city. Owing to the difficulties in organizing and transporting the troops, only a few thousand were ready



OPERATIONS AROUND SANTIAGO DE CUBA

to sail from Florida at this time. After some delays and considerable suffering through lack of proper food and shelter, the regulars and Roosevelt's "rough riders" captured the enemy's strongholds at El Caney and San Juan Hill. Cervera then left the harbor about nine o'clock on the morning of July 3. One after another his vessels were forced ashore and destroyed by the accurate fire

SIGNING THE PEACE PROTOCOL

of the Americans. Again, practically without loss, an American fleet had destroyed its Spanish opponent.[1] Soon after, the city was surrendered with all of the troops in eastern Cuba, on condition that they should be transferred free to Spain.

Porto Rican campaign.

Later in July an American force under General Nelson A. Miles proceeded against Porto Rico. By a well-planned and brilliantly executed campaign the subjugation of Porto Rico was nearly completed when preliminaries of peace were signed and hostilities ceased.

Larned (ed.), *Ready Ref.*, VI, 617.

[1] The sole remaining fleet of Spain, which had passed through the Suez canal on its way to the East, now turned back to Spain.

Preliminaries of peace.

Lodge, *War with Spain*, 222–226.

The decisive naval victories of the Americans at Manila and Santiago, followed by preparations for active campaigns against Porto Rico and the city of Manila, convinced the Spanish government that further prosecution of the war was unwise. On July 26 the French ambassador at Washington was requested to ask for terms of peace and on August 12 a peace protocol was signed. Spain relinquished all claim to Cuba, ceded Porto Rico and her other West Indian islands to the United States, and gave us one island in the Ladrone group in the Pacific. The United States was to hold the city and harbor of Manila pending the final disposition of the Philippines.

Loans and new taxes.

Dewey, *Financial Hist.*, § 197.

West, M., in *Rev. of Rev.*, 18 (1898), 48–52.

432. War Finance. — To meet the extraordinary expenses of the war, Congress raised large sums of money. Immediate needs were satisfied by a loan of $200,000,000 at three per cent interest. So patriotic was the response to the government's request for money that more than 300,000 persons subscribed to the loan, offering a total sum of $1,400,000,000. Profiting by the lesson of the Civil War, the government wisely sought to pay most of the military and naval expenses through taxation. The old rates on tobacco and fermented liquors were increased one hundred per cent. New schedules were created by placing a stamp tax on patent medicines, chewing gum, and other articles. Stamps were to be placed on all checks, drafts, deeds, notes, and many other papers involving business transactions. Several lines of business were obliged to pay business taxes, the total revenue from the new excise and business taxes amounting to about $71,000,000 a year. A new kind of national tax was levied on legacies, the rate varying from less than one per cent for direct heirs to fifteen per cent for those unrelated to the deceased who inherited large sums.

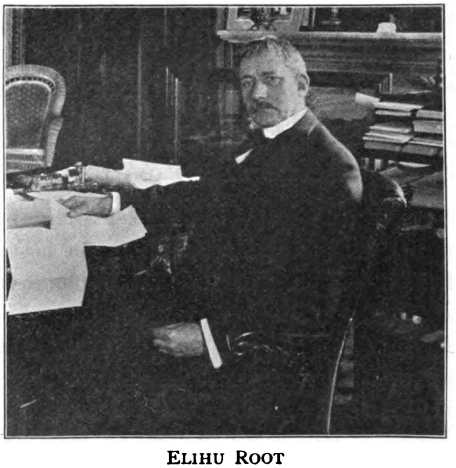
Inefficiency of the war department.

As the increase of the army and navy expenses was not limited to the four months of the war,[1] most of these war

[1] The military and naval expenses for 1898–1901 inclusive were $514,000,000 more than for the preceding four years, an increase of more than one hundred and fifty per cent.

taxes were retained for several years. Both the stamp taxes and the inheritance tax were repealed during 1902. Larned (ed.), *Ready Ref.*, VI, 631–634.

433. Army Administration and Reform. — Even before the war began the serious condition of the war department became painfully evident. Not only was the department unprepared for war, but so defective were its methods that it could not do satisfactorily even a small part of the work assigned to it. Troops were furnished with the wrong kind of materials for tropical campaigns; there were few modern rifles obtainable and smokeless powder was provided only on rare occasions. The volunteers were huddled in unsanitary camps. If sent to the front, they were delayed at every point by lack of transports or other facilities. Six weeks after war was declared, a time sufficient in 1866 for the complete humiliation of Austria by Prussia, the new army was still disorganized. The department failed most completely in providing food for the troops. Serious sickness and death were caused by this scarcity or by the inferior quality of the supplies. Contracts were made by the department under which " embalmed " beef that was unfit for food was furnished in large quantities. An investigation in 1899 exonerated Alger, the secretary of war, but the public was not satisfied that the defects of the system were understood or the proper officials blamed for neglect of duty.



ELIHU ROOT

As the preservation of order in the new colonies required

Reorganization of the army.

a larger standing army than that existing before 1898, a new law was passed by Congress in 1901 enlarging the army to a total of not less than 57,000 nor more than 100,000. Under the guidance of that able and energetic administrator, Secretary of War Root, the entire system was modernized and reorganized, and a general staff created to take charge of army affairs. Since we had decided to keep the outlying islands which came into our possession in 1898 and construct an isthmian canal, plans were made and have been carried out partially to enlarge and strengthen the navy, which will be of especial value in protecting our interests in all parts of the globe.

Larned (ed.), *Ready Ref.*, VI, 678–680.

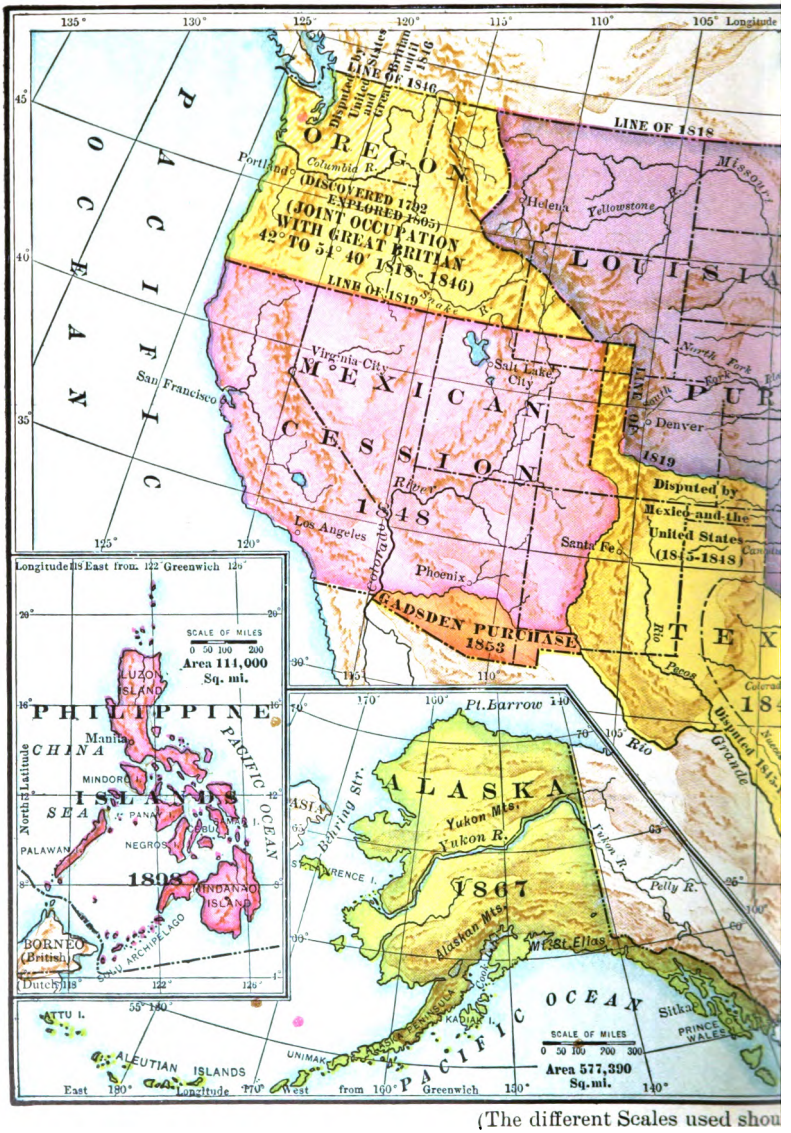
Formulating a Colonial Policy (1898–1902)

The question of expansion.

434. The Problem of the Pacific. — During the three months following the conclusion of hostilities the administration was obliged to decide definitely what its policy should be in regard to the annexation of distant lands in the Pacific. There was no doubt that the nation was willing to follow a new policy that would open to us new ports in the far East and permit us to use our political influence in the Pacific to greater advantage. During the war Hawaii had been annexed to the United States by joint resolution of both houses of Congress. Although many arguments in favor of Hawaiian annexation could not be used of islands near Asia — the nearness of the Hawaiian group, their commercial dependence on the United States, the comparatively large white population of Hawaii, the danger to us from their acquisition by a European nation — nevertheless the possession of Hawaii was a reason for going a step farther and acquiring islands which would give us commercial advantages in the great struggle that had already begun for supremacy in the west Pacific and in eastern Asia.

Negotiations regarding the Philippines.

At first President McKinley authorized the peace commissioners to acquire the island of Luzon only, with trade concessions in other parts of the Philippines. Later, however, the President reached the conclusion that " the cession



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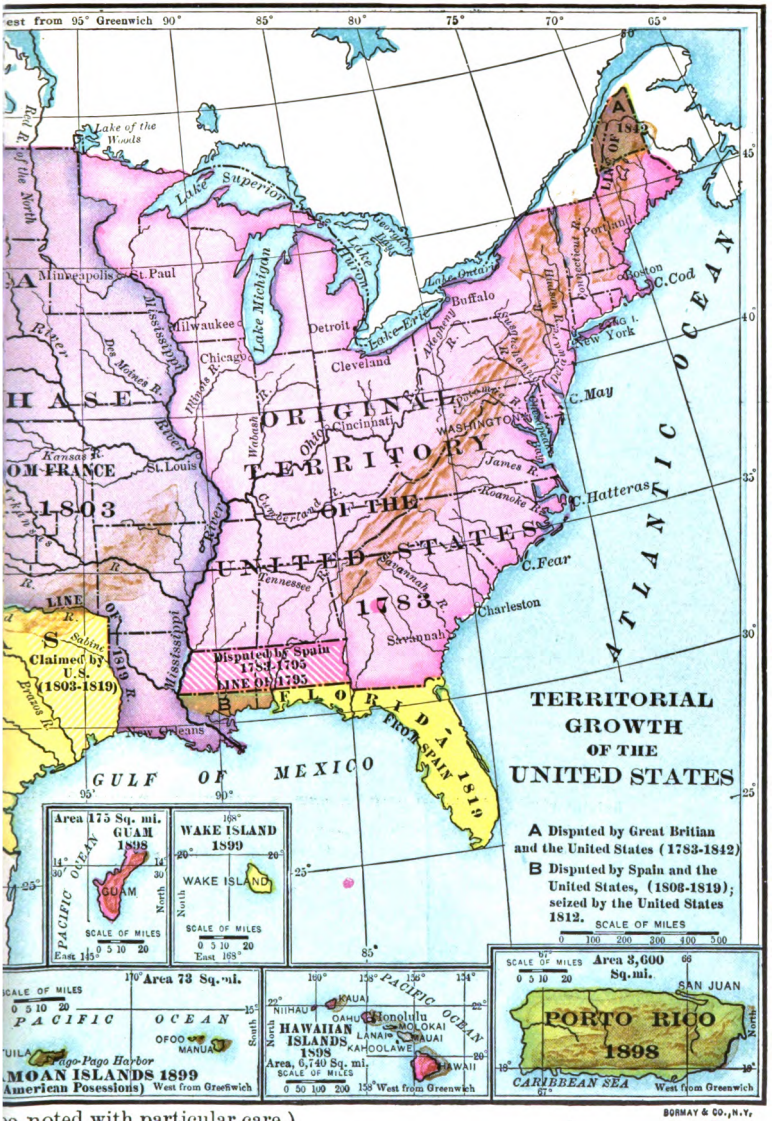


be noted with particular care.)

must be of the whole archipelago or none. The latter is wholly inadmissible and the former must therefore be required." As Secretary Hay telegraphed to the peace commissioners, "The sentiment in the United States is almost universal that the people of the Philippines, whatever else is done, must be liberated from Spanish dominion. In this sentiment the President fully concurs. Nor can we permit Spain to transfer any of the islands to another power. Nor can we invite another power or powers to join the United States in sovereignty over them. We must either hold them or turn them back to Spain. Consequently grave as are the responsibilities and unforeseen as are the difficulties which are before us, the President can see but one plain path of duty — the acceptance of the archipelago."

Lodge, *War with Spain*, 226–230.

Cambridge Mod. Hist., VII, 682–686.

Negotiation and provisions.

435. The Treaty of Paris (1898–1899). — While the administration was deciding what should be done in reference to the Philippines, negotiations for a peace treaty were begun at Paris, October, 1898. The United States was represented by five able commissioners [1] who succeeded in gaining all of the concessions we desired. The chief discussions were caused by Spain's desire to make us responsible for Cuba and the Cuban debt and to retain the Philippines for herself. On both points Spain yielded finally. According to the completed treaty Spain relinquished her sovereignty over Cuba, ceded to us Porto Rico and her other West India possessions and the Island of Guam, and transferred her rights in the Philippines for a sum of $20,000,000 paid to her for public works and improvements which belonged to the Spanish government.

Hart, *Contemporaries*, IV, No. 185.

MacDonald, *Statutes*, No. 131.

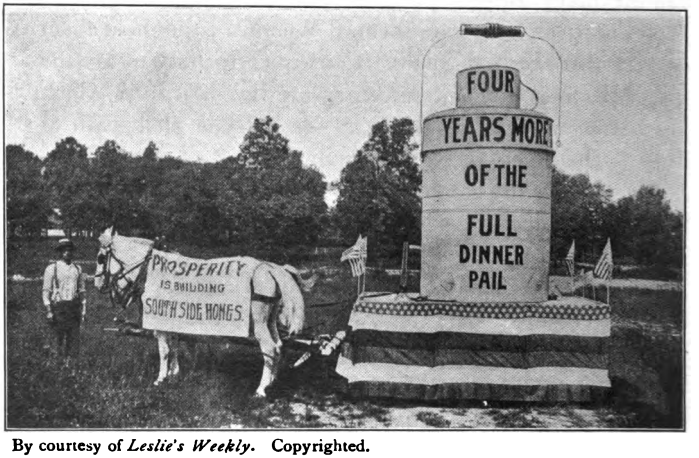
Debate over ratification.

Although most of the people of the United States approved the acquisition of the Philippines, an active minority opposed it. Anti-imperialist leagues were formed which sought to arouse public sentiment, especially by harping on the word "imperialism." They called attention to the great change which we should make if we abandoned our traditional

Larned (ed.), *Ready Ref.*, VI, 634–638.

[1] The commissioners were William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid.

policy. They claimed that the acquisition was not only contrary to the principles of the Declaration of Independence and the Constitution, but was unjust to the Filipinos and dangerous to the perpetuation of our democratic institutions. Many of the advocates of annexation did not desire to hold the Philippines permanently, but believed any other course to be unwise. Probably the majority of the American people, even at this time, favored not only the retention of the islands



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A REPUBLICAN APPEAL TO VOTERS (1900)

but the adoption of an imperialist policy involving tropical colonies. The treaty was submitted to the Senate early in January, 1899. After a month of discussion it was adopted by a very narrow margin by a vote of 57 to 28, only one more than the constitutional two thirds.

Aguinaldo's insurrection.

Andrews, *Our Own Time*, 842–852.

436. The Philippine Insurrection and the Election of 1900. — The problem of controlling the Philippines was complicated because of an insurrection against the authority of the American government. For several years before the Spanish-American War there had been armed opposition in the islands to the rule of Spain. After the transfer of the Philippines in the treaty of peace these forces which had rebelled, led by Aguinaldo, attacked the American troops,

and it was more than two years before the disorder was finally suppressed by the capture of Aguinaldo and the suppression of minor rebellions in the smaller islands of the group.[1]

Larned (ed.), *Ready Ref.*, VI, 380–383, 385–387.

In the presidential election of 1900 interest in the free-silver discussion of 1896 was revived because of the unwillingness of the Democratic candidate, William J. Bryan, to run on any other platform than that of the free coinage of silver at a legal ratio of 16 to 1. The Democratic platform, however, stated that imperialism was "the paramount issue of the campaign." The Republican convention indorsed the attitude of the McKinley administration in its dealings with our dependencies and renewed its "allegiance to the principle of the gold standard." William McKinley was renominated for president and Theodore Roosevelt of New York was selected for vice president in response to a popular demand too strong to be resisted. Although many eastern states gave McKinley much smaller pluralities than during the abnormal campaign of 1896, his total popular plurality was much larger than in 1896, and he carried five states more than in his first election.

Election of 1900.

Andrews, *Our Own Time*, 865–878.

Larned (ed.), *Ready Ref.*, VI, 646–660.

437. The Philippines since 1900. — The Philippine Islands were at first under a military governor who was the commander of the army in the Philippines. In 1900 a civil government was established, a commission of five being appointed by the president to control the islands under the laws of Congress. This Commission was replaced in 1902 by a complete though temporary government, consisting of a governor, four commissioners, and other colonial officials selected by the president and Senate, an upper legislative house composed of the Philippine commission with several Filipinos, and a lower house of from fifty to one hundred members chosen by voters who own property or can speak,

Liberty and government.

Taft, W. H., in *Outlook*, 71 (1902), 305 *et seq.*

Jenks, J.W., in *Rev. of Revs.*, 26 (1902), 580–588.

[1] It was claimed that the insurrection was kept alive by the opposition of the "anti-imperialists" in this country to the government's policy, but the claim had no better foundation than the counter claim that the army had employed unusual and cruel means in suppressing the revolt.

Webster, S., in *No. Am. Rev.*, 175 (1902), 299-308.

Willoughby, *Territories*, 184-201.

read, and write Spanish or English.[1] In local government the people were allowed a greater share than in the tropical colonies of any European power. Congress did not deem it wise to grant to the inhabitants of the islands all the civil rights exercised by citizens of the United States, but it did give them all the rights enumerated in the amendments of the Constitution except the right of trial by jury and the right to bear arms.[2]

Industrial and commercial situation.

In order to provide a revenue for the maintenance of the insular government, duties are levied on all goods imported from the United States or any other country. Articles brought from the Philippines to this country pay seventy-five per cent of our regular tariff rates,[3] the proceeds, however, being paid into the Philippine treasury. In many ways the United States has been able to settle difficulties which prevented the development of the islands. Among these was the problem of the Friars' lands, which was settled by depriving the Friars of much of their previous political control and by purchase of part of their lands. Although the islands have made good progress under American control, especially during the term of Governor Taft, the climate and the character of the people make rapid industrial improvements impossible.

Taft, W. H., in *Outlook*, 71 (1902), 309, 317-320.

Ireland, A., in *Atlantic*, 94 (1904), 577-594.

W. H. TAFT

[1] The first assembly did not meet until 1907.

[2] The right of the national government to control colonies by such discriminating legislation was denied by those who held that the "Constitution follows the flag."

[3] The Supreme Court, "Insular Cases" (1901), declared that Congress might levy special tariffs on our insular possessions and (1904) upheld the right of Congress to decide when the Constitution (with its amendments) should apply to new colonies. (See Ashley, *American Government.*)

External Relations (1900–1906)

438. America in the Far East. — The acquisition of the Philippines brought us new duties and responsibilities not only in the islands, but in connection with affairs in China and other Asiatic countries. We could no longer disregard the attitude of the great European powers toward any of these countries, for their policy might injure our commerce and jeopardize our political interests in the far East. At this time the situation was especially critical because of the unrest in China. For years the feeling against foreigners had been growing. The Chinese protested sullenly against the railways which invaded the sacred precincts of their private graveyards. They objected to the influence of foreign missionaries in the larger cities and of foreign advisers in Peking. When the Russians and the Germans and the British on various pretexts secured control in 1898 of valuable sea-coast territories or so-called "spheres of influence," the storm seemed ready to break. The invasion of the foreigners appeared to the Chinese to be the beginning of a movement that would end in the complete dismemberment of the empire.

Foreigners in China.

Smith, A. H., in *Outlook*, 67 (1901), 721–728.

Foster, *Am. Diplomacy in Orient*, 409–418.

Larned (ed.), *Ready Ref.*, VI, 80–104.

Under the lead of a secret organization whose members were known as "Boxers," foreigners were attacked everywhere in 1900. The German minister was killed and the other ministers were besieged in one of the legations. The Chinese government, which had been unable to preserve order for many years, sided with the Boxers. To protect our minister and other Americans in China, the United States joined the European powers in sending troops against the Chinese capital, Peking. The Chinese government was forced then to punish the leaders of the revolt, to give assurance that there would be no recurrence of the difficulty, to simplify and improve its methods of dealing with foreign nations. The Chinese government was forced to pay the allies an indemnity equal to more than $350,000,000, but the United States effectually prevented any further partition of the empire or the possibility of any nation's seizing

Boxer movement (1900).

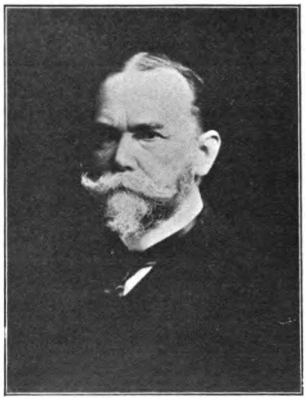
Foster, *Am. Diplomacy in Orient*, 418–433.

territories in lieu of the amounts due to it. The influence of the United States at this time and later was exerted very effectually by the Secretary of State, John Hay, to preserve the integrity of China and to remove unjust trade restrictions.

United States and the Russo-Japanese War (1904).

Early in the Russo-Japanese War (1904), Secretary Hay secured the consent of the combatants and all European powers to the "administrative entity" of China and a limitation of the field of hostilities. To-day the chief danger in the far East seems to be the dismemberment of the Chinese Empire. As the United States is more disinterested than any of the other great nations, the chief burden of preserving the integrity of China may devolve upon us.

World's Work, 7 (1904), 4675-4679.



JOHN HAY

439. Efforts to obtain an Isthmian Canal before 1901.— From the time that America was known to be a continent, barring the way from Europe to Asia, there was search for a passage from the Atlantic to the Pacific. The failure to find such a passage led to plans for the construction of a canal across Central America as early as the sixteenth century. No real interest was displayed in the project until after the Spanish colonies obtained their independence. In fact the real interest of the United States dates from the acquisition of definite territory on the Pacific coast in 1846 and 1848. When gold was discovered in California, and hundreds of thousands flocked to the new El Dorado, the people of the United States became anxious to have a canal. Just at this time the British government had assumed a protectorate over the Mosquite Indians who dwelt on the coast of Central America at the eastern terminus of the

Before the Civil War.

Latané, *U. S. and Sp. America*, 180-198.

Nicaragua route, at that time considered the most feasible for a canal. In order to secure the withdrawal of England from that territory, the United States agreed to the Clayton-Bulwer treaty (1850). (1) Neither government was to obtain exclusive control of the ship canal, (2) "or occupy, or fortify, or colonize or assume or exercise any dominion" over any part of Central America; (3) both governments guaranteed the protection and neutrality of the canal.

After the Civil War repeated attempts were made to secure the abrogation of the Clayton-Bulwer treaty. Before this was done, a French company under De Lesseps obtained a right of way across Panama (1879) and began the construction of a canal. The government of the United States was opposed to the construction of a canal by the French because it was at variance with our policy expressed in the Monroe Doctrine, but no official protest was made. After expending a very large sum of money, the French abandoned the attempt to dig the canal.

After the Civil War.

Morgan, J. T., in *No. Am. Rev.*, 174 (1902), 672–686.

Latané, *U. S. and Sp. America*, 198–220.

440. Arrangements for Constructing a Canal. — In order to construct a canal under American auspices, it was necessary to complete four preliminary steps. (1) We must secure the abrogation of the Clayton-Bulwer treaty; (2) Congress was obliged to select a route and authorize the construction of a canal by that route; (3) the president and Senate must agree with the country in which the canal was to be located on the terms under which we should dig the canal; and (4) if the Panama route were selected, we must purchase from the French company its rights and property.

Necessary preliminary steps.

Hay-Pauncefote Convention (1901).

The United States and Great Britain finally agreed (1901) on the Hay-Pauncefote convention which superseded the Clayton-Bulwer treaty. It expressly stated that the United States might construct a canal, directly or indirectly, and gave us the exclusive right of providing for the regulation and management of the canal. The canal was to be neutral on the same conditions as the Suez canal, giving the United States the right to police the district traversed, but not

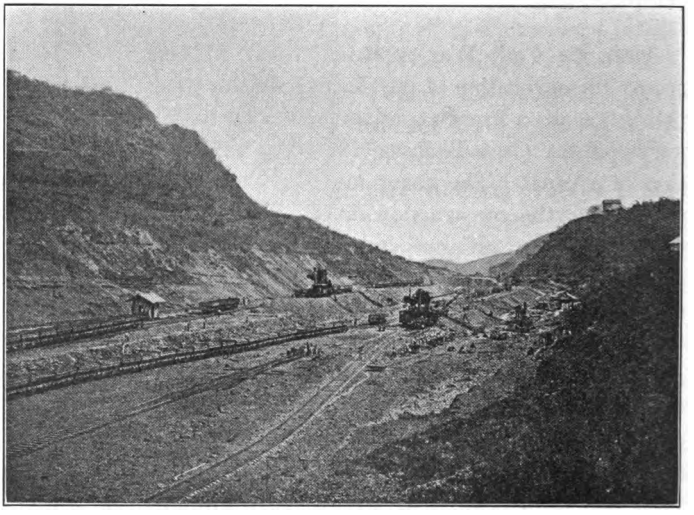
Appleton's *Annual Cyclopedia* (1901), 655–656.

Dunnell, M. B., in *No. Am. Rev.*, 171 (1900), 829–836.

allowing any nation to blockade the canal or commit an act of war in it.

Isthmian Canal Act (1902).

441. Securing a Satisfactory Route for the Canal.—The prevailing sentiment during the years preceding 1902 had been in favor of the Nicaragua route. Most of the commissions appointed to examine the subject had favored that plan and Nicaragua had shown a disposition

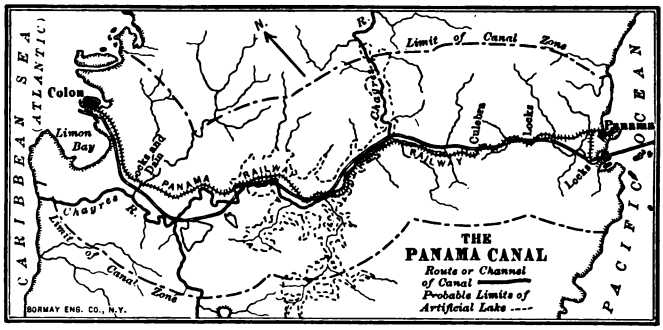


CULEBRA CUT, PANAMA CANAL
(Work done by French Companies.)

Appleton's *Annual Cyclopedia* (1902), 189–194.

to make favorable terms with us. The latest commission reported (1901) in favor of the Panama route, because it was shorter and the French company seemed inclined to dispose of its holdings at a reasonable figure. In January, 1902, the House of Representatives, with only two dissenting votes, passed a canal bill, selecting the Nicaragua route. The Senate at length decided on the Panama route, giving the president authority to choose the other route if no terms could be made with Colombia or the French company. This was accepted by the House, and the Isthmian Canal Act of June 28, 1902, contained that provision. It stated also that

the president might expend $40,000,000 for the franchises and property of the French company, and might appoint an isthmian canal commission which would have charge of

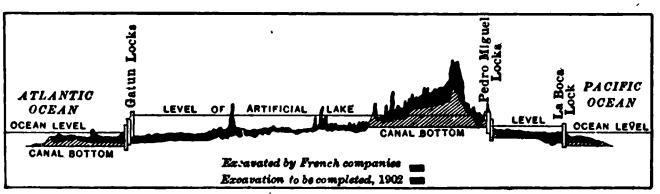


the construction of the canal. The sum of $135,000,000 was authorized for the completion of the work.

Without great difficulty Colombia was persuaded to make a treaty giving us the use of a strip twelve miles wide as a canal zone. Compensation was fixed at $10,000,000, but the Colombian Congress desired a larger sum, $25,000,000, and refused to ratify the treaty. Panama then took matters into her own hands and seceded from Colombia.

Purchase of a canal zone (1903).

Latané, J. H., in *Annals Am. Acad. Pol. Sc.*, 22 (1903), 113–126.



PROFILE OF THE PANAMA CANAL

Her independence was recognized at once by President Roosevelt, an act which caused considerable comment, and the new Republic of Panama agreed to give us jurisdiction of a canal zone and the right to construct a canal for the amount originally accepted by Colombia. As the French company had already accepted our offer of

Bishop, J. B., in *International*, 9 (1904), 247–260.

$40,000,000, the way was cleared for actual construction by the national government.

Difficulties encountered.

Parsons, W. B., in *Century*, 71 (1905), 138-156.

Independent, 60 (1906), 709-716.

442. Problems of Construction; Importance of the Canal. — The chief difficulties encountered in the construction of the canal were the question of the kind of canal — lock or sea level — the health problems that are encountered, the difficulties in securing able-bodied laborers who can endure the climate, engineering problems, difficulties in procuring supplies, administrative difficulties, and opposition from those whose interests will suffer if the canal is constructed.

Work accomplished.

Bates, L., in *World's Work*, 9 (1905), 6047-6054.

Taft, Wm. H., in *Century*, 73 (1906), 300-313.

When we came to examine the property we had purchased, we found that only a small part of the work of necessary excavation had been completed, much of this being rendered valueless by the refilling of the cuts. Most of the old machinery was worthless. Much of the preliminary work done at this time (1907) has been in improving the unsanitary conditions in the swampy coast belts in the Panama strip and in completing engineering arrangements. It was not until 1906 that the president of the United States and Congress decided that a lock canal would be better than one at sea level. This decision was reached because of the smaller original cost of a lock canal, the shorter time required for its construction, and the saving of time for vessels in transit through a lock canal.[1]

Benefits of the canal.

Lewis, H. H., *Harper's Weekly*, 50 (1906), 438-440.

Annals Am. Acad. Pol. Sc., 17 (1901), 397-408; 19 (1902), 3-23.

The importance of the canal in binding the East to the West commercially will be very great. At the present time the cost of transporting freight by rail over the Rocky mountains and the great distance around Cape Horn hamper the development of this trade. Owing to the cheaper transportation by water than by rail, the shortening of the water route from the Atlantic ports to those of the Pacific will give an immense impetus to the industries of the Pacific coast, the products of which can now be sold profitably only in the local market. Of equal advantage will be the opportunities given to the eastern cities to trade with the Orient.

[1] This is due to the greater width of the canal between locks.

At present they cannot compete with the European merchants who enjoy a shorter water route. Our trade with western South America should be developed by the opening of the canal. The products of the Mississippi valley and the gulf states will be benefited particularly because of the great decrease in the cost at which they can be marketed. Although the chief advantages of the canal will be commercial in time of peace, the ease with which warships can be sent from the Atlantic to the Pacific during hostilities is a factor worth considering.

Military government (1898–1902).

Larned (ed.), *Ready Ref.*, VI, 182–187.

443. Relations with Cuba. — The question of Cuba after the war with Spain was one of great delicacy and difficulty. At the beginning of the war we had justified interference on the grounds that Cuba deserved to be free and that Spain's methods of control were morally wrong and injurious to American interests. We were pledged practically to establishing in Cuba a government that would be not only independent, but would reëstablish order in the island and maintain satisfactory relations with other nations. The fulfillment of this pledge required the military occupation of the island for more than two years, during which the American commanders did much toward improving municipal government in Cuba and aiding in the reëstablishment of business prosperity.

Permanent rights in Cuba.

International Year Book (1901).

Larned (ed.), *Ready Ref.*, VI, 187–190.

In 1901 a constitutional convention completed a constitution providing a complete government for the Republic of Cuba and embodying several articles regarding the relations to exist between Cuba and the United States. In the most important of these articles[1] Cuba agreed to maintain her independence, financial and political, to accept the work done during the military occupation by the United States, and if necessary to permit interference by the United States for the purpose of preserving the independence of Cuba and fulfilling the obligations which we assumed for Cuba in the treaty of Paris. The United States was allowed to have

[1] This was known as the Platt amendment, because proposed by Senator Platt as a rider to an army appropriation bill.

coaling stations in the island which we agreed never to use for the purpose of dominating Cuban affairs. On the basis of this amendment we took charge of the Cuban republic in 1906, when the insurgents prevented Palma's government from executing the laws. President Palma's resignation forced the United States to govern the island temporarily.

Reciprocity with Cuba.

Willis, H. P., in *Annals Am. Acad. Pol. Sc.*, 22 (1903), 129–147.

As soon as the Cuban republic was established, the United States was asked to aid the Cuban planters by giving them especially low rates on goods imported from Cuba. Free trade between the two countries was advocated by a few, but was not considered seriously. After numerous delays, largely due to the opposition of the beet-sugar interests of the United States, the Senate ratified (1903) a reciprocity treaty in which we agreed to give a rebate of twenty per cent on agricultural products brought to this country in return for reductions of from twenty to forty per cent in the tariff rates levied by Cuba on most of our agricultural exports except tobacco.

Relations with Russia before 1867.

Foster, *Am. Diplomacy*, 404–410.

444. **Alaska.** — An international dispute of long standing was settled when the boundary between Alaska and Canada was definitely decided in 1903. Alaska was the first territory we had acquired which was not contiguous to the United States proper. It had been held by Russia which had sought about 1820 to acquire possessions farther south than Sitka in order to keep the British from the Pacific. This threatened aggression was an immediate cause of the proclamation of the Monroe Doctrine in 1823. But after 1824 Russia agreed to remain north of 54° 40′. After the United States gained undisputed possession of southern Oregon in 1846 (§ 303), offers were made to Russia for Alaska. These seem to have been considered favorably because of Russia's hatred and fear of England, particularly in the years following the Crimean War (1854). During the Civil War Russia gave proof of her friendship by sending a fleet to New York. In 1867, when the suggestion was made that Russia should cede us Alaska, terms were agreed upon and the treaty ratified within twenty-four hours.

There was little opposition to the acquisition of this vast territory,[1] but few people appreciate the richness of the resources in that region. In fact it was not until the discovery of large quantities of gold near the Yukon River in 1898 that much interest was taken in Alaska. The location of valuable mines near the boundary line and the use that was made by the gold-seekers of bays and roads which were claimed by both the United States and Great Britain brought the question of the eastern boundary into prominence. The United States claimed that the boundary followed the range of mountains inland a certain distance from all bays and harbors on the coast. Great Britain claimed a line that cut across the bays because it was measured inland from the headlands of the coast. Early in 1903 the United States and Great Britain agreed to submit the question to a tribunal composed of three Americans, two Canadians, and an Englishman. The arbitrators decided in favor of the United States except for a few small islands on the southern boundary.

Gold and boundary disputes.

Rev. of Revs., 27 (1903), 275–279; 28 (1903), 526–529.

Parker, R. H., in *No. Am. Rev.*, 176, (1903), 913–926.

Larned (ed.), *Ready Ref.*, VI, 6–10.

445. Arbitration. — Although the United States and Great Britain submitted to arbitration not only the question of the Alaskan boundary but the delicate questions involved in the Alabama claims (§ 364), all attempts to secure a general arbitration treaty made by the two countries have been without result. In 1897 such an arbitration treaty was drawn up, but when it was submitted to the Senate for ratification, so many provisions and amendments were inserted that the treaty was dropped.

Arbitration treaty with Great Britain.

Foster, *Arbitration*, 9–11.

Larned (ed.), *Ready Ref.*, VI, 577–580.

Interest in the subject of arbitration increased in the closing years of the nineteenth century and many arbitration treaties were made between foreign countries. The peace conference held at the Hague in 1899 made provision for a permanent court of arbitration which should decide disputes submitted to it. The conference also suggested a form for a general arbitration treaty which should promote the peaceful settlement of legal disputes and those involving

General arbitration treaties (1904–1905).

Outlook, 79 (1905), 405–406, 472–475, 622–625.

[1] The area is 577,446 square miles and the price paid $7,200,000.

the interpretation of international treaties. During 1904 and 1905 our department of state negotiated treaties in this form with eight foreign nations, including Great Britain, France, and Germany. The Senate protested because the executive of the United States had the power to decide when questions should be submitted to arbitration. It insisted that no questions should be submitted until a special treaty had been drawn up in each case. As other changes were made in the form adopted elsewhere, President Roosevelt did not reopen the negotiations with any of the nations interested. Accordingly the United States is the only power that has not joined in the general arbitration movement.

The war with Spain.

446. Summary. — When affairs in Cuba became unendurable in 1896 and 1897, the government of the United States indicated that it must interfere unless order was restored at once and American interests protected. The battleship *Maine* was sent to Havana harbor in January, 1898, to insure this protection. Its destruction in February, and the report of the commission of inquiry in March that it was blown up from the outside, left no way open but complete submission by Spain or war. As Spain refused to admit that she was in the wrong, war began on April 21, 1898, after a specific statement by Congress that its purpose was not conquest but the freedom of the Cubans. The decisive victories at Manila Bay and at Santiago de Cuba showed that Spain could not hope for the least degree of success, and peace was made by Spain's relinquishing her sovereignty over Cuba and by surrendering Porto Rico and the Philippines to us.

Problems growing out of the war.

The events of the war forced upon us recognition of the fact that we were one of the great powers of the Pacific, and must decide important problems not only in connection with the government of distant colonies, but in regard to our attitude in the East toward the other world powers. Colonial problems we solved theoretically by asserting the authority of Congress to govern the colonies as it deemed best, practically by leaving the people of our new possessions a fair

share in their own government and training them for the assumption of a larger number of duties. We have insisted that Cuba maintain a stable government and should maintain all her international obligations. In Asia we have been able to use our influence against any movements for the territorial aggrandizement or political dominance of European powers. By constructing an isthmian ship canal, we have sought to link more firmly the Atlantic slope with our Pacific states and possessions.

TOPICS

1. CUBA AND THE UNITED STATES BEFORE 1898: Hart, "American Foreign Policy," pp. 113–132; Latané, "United States and Spanish America," pp. 89–175; Callahan, "Cuba and International Relations."

2. DESTRUCTION OF CERVERA'S FLEET: *Nation*, 69 (1899), pp. 406; Warren, A., in *Engineering Magazine*, 16 (1899), pp. 533–548; Long, J., in *Outlook*, 74 (1902), 419–426, 603–620. *Century Magazine*, 58 (1899), pp. 50–118.

3. CONTROVERSY OVER RETENTION AND GOVERNMENT OF PHILIPPINES: Larned (ed.), "History for Ready Reference," VI, pp. 634–638, 641–645, 660–666; Vest, G. G., in *North American Review*, 168 (1899), pp. 112–120; Denley, C., in *Forum*, 29 (1000), pp. 401–408; Taft, W. H., in *Outlook*, 71 (1902), pp. 305–321; 76 (1903), pp. 1024–1027; Cook, W. W., in *Political Science Quarterly*, 16 (1901), pp. 68–78.

STUDIES

1. Isolation of the United States before 1897. (Olney, R., in *Atlantic Monthly*, 81 (1898), pp. 577–588.)

2. Objections to assuming new international obligations. (Woolsey, "American Foreign Policy.")

3. Report of the *Maine* inquiry commission.

4. The problems of the Spanish fleets. (Mahan, "Lessons of the War with Spain," III–V.)

5. First insular cases (1901). Larned (ed.), "History for Ready Reference," VI, pp. 669–674, 682–683.)

6. Government of Porto Rico. (Willoughby, "Territories and Dependencies of the United States," pp. 79–118.)

7. Municipal government in the Philippines. (Willoughby, "Territories and Dependencies of the United States," pp. 251–289.)

8. Character of the Panama route. (Burr, W. H., in *Scribner's Magazine*, 31 (1902), pp. 156–169.)

9. The United States in relation to the American Mediterranean. (Semple, "American History and its Geographic Conditions," 397–419.)

QUESTIONS

1. In what respects had the United States been a world power before 1897? Trace the development of American influence in world affairs since 1776. What improvement in our international position followed the war of 1812? the Civil War? the Spanish-American War?

2. Give a brief history of Cuba's struggle for independence. Name several examples of Spanish misrule. In what ways did the Cuban war imperil American interests? On what grounds did we have the right to interfere?

3. Make a full comparison of the armies, fleets, financial conditions, and resources of Spain and the United States. What were the real causes of Spain's poor showing in the war?

4. Compare the acquisition of Porto Rico and the Philippines with that of Louisiana, in regard to (*a*) attitude of the people toward acquisition, (*b*) national or international difficulties settled by acquisition, (*c*) problems of government in the new territory, and (*d*) influence of the acquisition on the United States as a world power.

5. What difficulties were encountered in selecting a route for the Isthmian canal? in deciding what kind of a canal should be constructed? How should the canal affect the Pacific coast? the commerce of the Atlantic cities with South America and Asia?

6. State with exactness our rights in Cuba after 1898 and our obligations toward Cuba. To what extent did we protect Cuba's interests rather than our own in the military occupation (1898–1892)? by the Platt amendment? by commercial treaty? by interference in 1906?

CHAPTER XXII

THE TWENTIETH CENTURY

PRESIDENT

Theodore Roosevelt (1901–1909)

447. General. — The opening years of the twentieth century have been years of unprecedented material prosperity and national progress In population, wealth, and general resources the increase has been noteworthy. Crops have been varied and abundant, manufacturing has developed rapidly, new markets have been opened for our exports. Immigrants have flocked in unusual numbers to our shores, attracted by the opportunity for gaining wealth. Politics has reflected the activities of the world of affairs, and has aroused a new interest in the citizens. Numerous movements for civic betterment have succeeded beyond expectations. A tendency to discard party lines and unite for necessary improvements has shown a healthy condition of the public mind.

Prosperity.

Copyright by Pach Brothers (1904).

THEODORE ROOSEVELT

The political changes of these years have been influenced greatly by the attitude of President Roosevelt. Elevated

President Roosevelt's policies.

Peck, H. T., in *Bookman*, 23 (1906), 300–322.

to the chief magistracy through the assassination of President McKinley by an anarchist at the Pan-American exposition at Buffalo in 1901, he used his influence not alone in politics, but in other national affairs for peace and progress. With characteristic vigor he attacked almost every problem that has threatened our national life. When McKinley died and left to his successor the liberal policy that had been developed under his guidance, many feared that Roosevelt would lack tact and judgment. They were soon reassured. Roosevelt followed McKinley's policy in dealing with the half-solved problems of the nation and the colonies, although he used his own methods. He soon began to show interest in subjects hitherto neglected. He improved the personnel of the executive departments, especially in probing the postal frauds. He offered his services in the settlement of serious disputes like the coal strike at home and the Russo-Japanese War abroad. His energy in detecting and punishing corruption exerted an unusual influence all over the country by persuading others to secure needed reforms. Many complaints were made, however, that he was making the presidency absolute.

Election of 1904.

Peck, *Twenty Years*, 706–716.

Had there been doubt of the popularity of Roosevelt, it was proved by the election of 1904. The Democratic party, reorganized in the interests of the eastern states, nominated Judge Alton B. Parker of New York. The campaign was not exciting, as it was evident from the first that the Republican candidate would be elected. Even two of the states in the solid South voted for Roosevelt, while the Democrats did not carry a single state in the North or West, Roosevelt's popular plurality being about two and one half millions.

Commerce and Industry

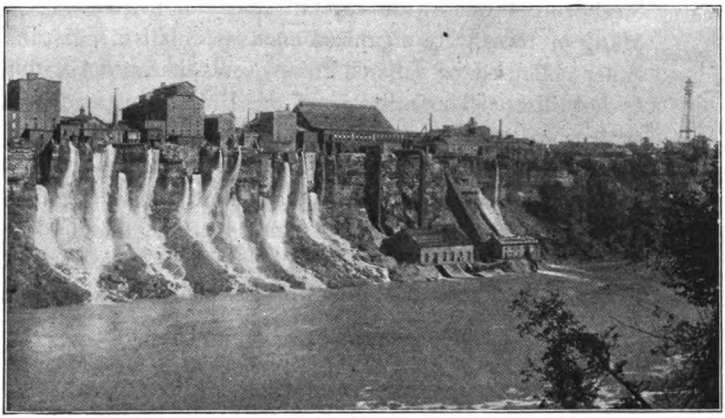
Causes and results of industrial combination.

448. Industrial Progress since 1880. — During the last quarter century the industrial advance of the United States has been very rapid. The capital invested in manufacturing has more than doubled and the value of manufactured products has increased threefold. This development has been

accompanied by changes which we have already noted in part — the combination of companies engaged in the same line of industry, with a resulting loss of competition, and the combination also of employees engaged in similar occupations. The advantages of production and distribution on a large scale are evident. Improved machinery and processes may be employed, finer products may be produced by devoting the energies of an entire plant to a special form of manufacture, and immense sums are saved by preventing the unavoidable wastes of separate plants. By controlling most of the output in its line, a trust need ship into a particular territory only the amount that can be sold easily. It can decrease its prices in a district in which a rival is dangerous and drive its competitor from business. It can afford to develop new markets, domestic or foreign, which may be unprofitable at first, for the sake of the future. Whether these advantages from the industrial standpoint are sufficient compensation to the public for the loss of competition, which in the past has kept prices low, depends partly on the policy of the trust, partly on the attitude of our governments toward the trusts, and partly on the willingness or ability of the people to prevent high prices.

Jenks, *Trust Problem*, 21–55.

Clark, J. B., in *Century*, 68 (1904), 954–959.



WATER POWER, NIAGARA FALLS

No. Am. Rev., 172 (1901), 641 *et seq.*

Formation of trusts after 1898.

The advantages of combination were apparent long before the Spanish-American War, and many trusts were organized during that period,[1] but the movement for industrial or commercial consolidation was far more conspicuous from 1898 to 1902 than at any earlier time. Several hundred trusts were organized, many of them monopolies. The largest of these was the United States Steel corporation with capital stock of $1,100,000,000. Many of these were organized on a speculative basis and either collapsed or suffered from overcapitalization within a short time. The railways of the United States adopted similar methods, and most of the mileage is controlled now by a very few corporations. In fact some of the largest combinations control the mines or other sources of raw material which they use, manage their manufacturing plants, and own or control the railways by which the materials are brought to their plants or their products are shipped to market.

Coman, *Industrial Hist.*, 325–329.

Larned (ed.), *Ready Ref.*, VI, 529–535.

Cambridge Mod. Hist., VII, 718–721.

Control of railways.

449. Anti-Trust Legislation in the States. — Under the present system of law in the United States these great companies do not receive charters from the national government but are chartered in some state and then do business in the other states under that charter. The other states, however, may limit the activities of the corporations, within their own boundaries, and in fact may prohibit them from doing business in their state. The earliest form of state control, as we have observed already (§ 396), was in connection with railways. Most of the early granger legislation was repealed after a few years' experiment, but in two thirds of the states railway commissions are maintained to supervise rates and other business of railways. One kind of commission simply investigates and reports the results of its investigations, relying on publicity to remedy the defects noted. The other has the power also to fix the maxi-

Johnson, *Am. Railway Transportation*, 349–366.

Dixon, F. H., in *Pol. Sc. Quar.*, 20 (1905), 612–624.

[1] The earliest and still one of the most notable trusts is the Standard Oil Company, which, as early as 1880, controlled the output of over ninety-five per cent of the refined oil in the United States.

mum rates to be charged.[1] During recent years, especially in the spring of 1907, many states adopted more severe laws for the regulation of railways. The most common of these laws forbade a charge of more than two cents a mile for the transportation of passengers.

Industrial anti-trust laws.

About 1890 the organization of a large number of trusts led to the enactment of numerous state anti-trust laws and the so-called Sherman anti-trust act passed by Congress. In many of the states monopolies were forbidden entirely, in other states the laws were intended to restrict the trusts from charging excessive rates or otherwise injuring the public. More perfect laws were passed later by many states, that of Texas being a good example of the severe anti-monopoly law. It has not been easy to enforce these laws against the great corporations, but some success has attended the efforts of the states west of the Mississippi. In 1904 Kansas engaged in a war on the Standard Oil Company by building a refinery of its own. Two years later Missouri forced the same company to admit that the lesser companies doing business in that state were nothing more than parts of the great monopoly.

Sayers, J. D., in *No. Am. Rev.*, 169 (1899), 210–217.

Provisions. The problem of national control.

450. The Sherman Anti-Trust Law of 1890.[2] — In response to a popular demand, Congress in 1890 decided that "every contract, combination in the form of trust or otherwise, or conspiracy, in restraint of trade or commerce among the several states, or with foreign nations, is hereby declared to be illegal." This act was intended to supplement the Interstate Commerce act (§ 397), passed three years earlier. We should notice carefully that the only provision of the United States Constitution which deals with the power of the national government over commerce or industry within the United States is contained in the words, "Con-

MacDonald, *Statutes*, No. 120.

[1] Those of the first class are found chiefly in the northeastern part of the United States; those of the second class in the Middle West and South. See map, Johnson, "American Railway Transportation," p. 360.

[2] In connection with this and succeeding sections the student should review §§ 394–397.

Dawes, C. G., in *No. Am. Rev.*, 183 (1906), 189–194.

gress shall have power . . . to regulate commerce . . . among the several states." [1] When the Constitution was adopted in 1787, even interstate commerce was not particularly important. The fact that for one hundred years there was no real attempt to regulate this commerce from Washington is sufficient evidence of the recent development of interstate trade. But the expansion of large corporations, which have plants in several states and do business in many others, presents a problem of commercial and industrial control which cannot be solved by the separate state governments. The interest of the public therefore must go unprotected or be secured by the national government. For this reason the interpretation placed upon the Sherman Act by the courts is of the first importance. If this act has been construed narrowly the power of Congress over commerce will be very limited. If it has been construed liberally the national government may not only control industry under it, but Congress may pass supplementary legislation extending its powers still further.

Application of the Sherman Act to 1904.

At first comparatively little attention was paid to the law either by the government or the corporations. It was invoked in 1894 (§ 457) to prevent labor organizations from interfering with the movement of trains engaged in interstate commerce. Later the Supreme Court broke up several illegal railway combinations.[2] The most interesting case until recent years was that of the Northern Securities Company. This company was organized to hold the stock and manage the interests of several railways, the Northern Pacific, the Great Northern, and the Burlington lines. The Supreme Court prevented the Securities company from carrying out this plan by deciding (1904) that its acts would be in restraint of interstate trade. The court made clear its position that the restraint was not necessarily unreasonable in order to be illegal.

Ripley (ed.), *Trusts, Pools, and Corporations*, 263–272.

Review of Reviews, 27 (1903), 522–526.

Garner, J. W., in *Annals Amer. Acad.*, 24 (1904), 125–147.

[1] United States Constitution, Art. I, § 8, Cl. 3.

[2] Trans-Missouri Freight Case (1897) and Joint Traffic Case (1898) especially.

451. Recent Anti-Trust Activity. — In 1903 Congress organized a new cabinet department known as the department of commerce and labor. One of the bureaus created for this department was that of corporations, the head of which was authorized to investigate "the organization, conduct, and management" of any company other than railways engaged in interstate commerce. The first commissioner of corporations believed that the task of investigation would be simplified greatly by compelling all corporations engaged in interstate trade to secure their incorporation papers from the national government. This would obviate many of the difficulties due not only to the lenient laws of some states, but to the diversity in different state laws. As yet (1907) no action has been taken on this suggestion.

Bureau of corporations (1903).

Many of the larger trusts have been investigated by the bureau of corporations and many reforms have been instituted without further action than the publication of the commissioner's reports. Because of these investigations, the attorney-general of the United States and his representatives have brought suit against the beef trust, the paper trust, the tobacco trust, and several other monopolies, because they were thought to be guilty of violating the Sherman Act or other commercial laws of Congress. In general the results obtained in the courts have been favorable to the government, although these suits have not interfered particularly with the business operations of the large corporations. The right of Congress to control the actions of trusts engaged in interstate commerce has been upheld by the courts fully. On the other hand, the right of a trust to defend itself by refusing to show its books or give evidence in court on the ground that it might incriminate itself has been denied corporations. The courts have held that private cars cannot be used by railways to injure the business of any person or section, and that a railway company cannot engage in any business like that of mining coal in which it can haul its own coal cheaper than that of its competitors. Many of the important trusts have been compelled to abandon some of the

Curbing of corporation powers.

Current Literature, 40 (1906), 585–590.

Powers of Congress over trusts.

most flagrant of the practices used for controlling the market.

Increasing need of government regulation.

452. Railway Rate Regulation. — So closely connected are the industrial corporations and the railways that any action taken by the government in dealing with one almost always involves the other. This has been true in almost all the investigations mentioned in the preceding section. Since the laws dealing with railways and with the powers of government over railways are concerned almost exclusively with "common carriers," we should note how the railways have been kept from injuring the public either alone or in coöperation with the trusts. The importance of the railways in the development of industry and in the maintenance of those healthful business conditions under which alone prosperity is possible cannot be overestimated. Since almost all of the trunk lines in the United States have come into the control of a limited number of persons, who are much interested in other business than that of transportation, the need of governmental control has increased.

Haines, *Restrictive Railway Legislation*, 293–313.

Elkins Anti-Rebate Act (1903).

In 1903 the Elkins Anti-Rebate law supplemented the Interstate Commerce Act of 1887 by defining the character of the punishment that should be meted out to the railways which give rebates and by making shippers liable to fine for accepting rebates. This act has furnished the Interstate Commerce commission a more effective means of preventing rebates.

Johnson, *Railway Transportation*, 323–325.

New Interstate Commerce Act (1906).

After years of agitation both houses of Congress agreed (1906) upon a new Interstate Commerce Act which replaced that of 1887. The new law gives the commission of seven members the power to fix a *maximum rate* which shall be charged for the transportation of certain articles, and makes the giving of rebates more difficult. It aims to remedy some of the worst trust evils mentioned in the preceding section.[1]

Prouty, C. A., in *Rev. of Revs.*, 34 (1906), 65–70.

[1] The law declares that no railway shall carry commodities of which it is the owner except for its own use. It declares private cars and pipe lines common carriers which shall not be used by their owners to the disadvantage of their competitors.

PRINCIPAL
RAILWAY SYSTEMS
OF THE
UNITED STATES
SCALE OF MILES
0 50 100 150 200 250 300
DOMINION OF CANADA
UNITED STATES
MEXICO
GULF OF MEXICO
PACIFIC OCEAN
ATLANTIC OCEAN
Longitude West from Greenwich
BAHAMA ISLANDS
BURMAY & CO., N.Y.

453. Commerce and Shipping. — The industrial and commercial development of the period following the war with Spain naturally affected our foreign trade very much. The increase in our exports from 1896 to 1906 was almost one hundred per cent and the excess of exports over imports for the ten years following 1896 was little less than five billions of dollars. This great "balance of trade" in our favor was due principally to the great demand, particularly in Europe, for our agricultural products, such as cotton or breadstuffs, for our meat products,[1] and mineral productions, especially refined petroleum, and iron or steel manufactures.[2] Our market for machinery has expanded perhaps as rapidly as that of any of our other exports. In many cases machines have been sold abroad for much less than the price in the United States in order to open the way for later sales. American locomotives have competed successfully with those of foreign make in distant Russia and Japan. The trade with Cuba and Porto Rico has grown rapidly and that of the Pacific coast is increasing constantly, but we still enjoy but a small proportion of the exports to South American countries, the Philippines, and eastern Asia.

Great development of export trade.

Waldron, G. B., in *Chautauquan*, 31 (1900), 499–504.

Digby, W. P., in *Engineering Mag.*, 29 (1905), 321–333, 508–518, 673–682.

Although our favorable position commercially among the nations of the world is a matter of pride to us, the dependence of the United States upon other countries to carry our exports and imports is not pleasing. We have found other occupations more profitable than that of shipping and, therefore, have neglected to build ships for foreign trade.[3] On this account large sums are paid annually to foreign shippers.

Shipping and ship subsidies.

Review of Reviews, 21 (1900), 319–328.

[1] Our exports of raw cotton for the year ending June 30, 1906, were $401,005,921; of live stock or meat products, $251,376,410; and of grain and flour, $166,161,160.

[2] The figures for petroleum for 1906 are $77,025,196; for iron and steel manufactures, $160,984,985.

[3] The tonnage of American vessels is greater to-day than ever before, about six and a half million tons; but the tonnage of vessels engaged in foreign trade is less than one million tons. As our foreign shipping in 1856 represented two and one half million tons, the decline has caused very serious criticism.

Garner, J. W., in *No. Am. Rev.*, 180 (1905), 360–374.

Our merchant marine has declined so that less than one tenth of our foreign trade is carried in American vessels and our flag is seen comparatively little in the ports of the world. To remedy this unfortunate though not serious state of affairs, to provide fleets of vessels that can be turned into transports or auxiliary cruisers at short notice in time of war, to build up again a large merchant marine, ship subsidies have been suggested. Several bills have been passed by one house of Congress during recent years, but have failed to receive the approval of the other house.

Business and Labor Controversies

Panic of 1873.

454. Prosperity and Panics since 1865. — Since the Civil War there have been successive waves of business prosperity and depression. The excessive expansion of business during the years from 1865 to 1873 caused one of the worst panics in our history in 1873. Speculation had been conspicuous in manufacturing, in railway extension, in purchase of public lands, and in commerce. Collapse followed the manipulation of the stock market. The failure of Jay Cooke of Philadelphia started the panic, which affected every line of industry. There was no sale for property, prices fell everywhere. The gravity of the situation increased as the years passed, for the number of failures in 1877 and 1878 was much greater than in 1873. In 1879 there was a return to normal business conditions and times continued prosperous until 1885. After a slight depression, business revived and continued very active until 1892.

Coman, *Industrial Hist.*, 286–289.

Burton, *Crises*, 286–289.

Larned (ed.), *Ready Ref.*, V, 3574–3576.

Panic of 1893.

The immediate cause of the panic which occurred in 1893 was undoubtedly the fear among business men that the government might not be able to redeem its notes in gold (§ 412).[1] To this cause was added the doubt about possible changes in the tariff. The underlying cause was un-

Burton, *Crises*, 292–296.

[1] If the government were obliged to use silver for this purpose, the business of the country would then be transacted on a silver basis. As the intrinsic value of the silver in a dollar was only about fifty cents, the loss to merchants who sold on time would be appalling.

doubtedly the abnormal inflation of values and the increase of speculation. The first serious failure occurred in May, 1893. Banks, factories, and railways were affected. In many cases business houses were forced into bankruptcy simply because they were asked to pay their debts and could not collect from those who owed them money, their assets often being much greater than their liabilities. The total indebtedness of those that failed during 1893 reached the enormous total of nearly $350,000,000. Receivers were appointed for railway companies that owned more than twenty-five thousand miles of railroad. Factories closed or reduced their output so that many hundreds of thousands were added to the ranks of the unemployed.[1] This condition of affairs continued with comparatively little improvement for two years, and, as in the great panic twenty years earlier, normal conditions were not restored for four or five years, but about the time of the war with Spain business became more active than at any preceding time.

Noyes, *Am. Finance*, 182–196.

455. Labor Unions and Strikes (1877–1886).—Periods of marked industrial development or depression are usually accompanied by conflicts between capital and labor. When times are exceptionally good, the workers believe they are not receiving a just share of the unusual profits. When hard times come, the employers feel that they cannot afford to pay as high wages as formerly. The hard times of the 70's caused a reduction of wages which in time led in several cases to strikes. The greatest of these began on the Baltimore and Ohio Railway in July, 1877. Railway strikes

Strikes of 1877.

Wright, *Industrial Evolution*, 301–306.

[1] The winter of 1893–1894 was very trying to the laboring classes. Hundreds of thousands had been thrown out of employment by the business depression and the suffering of their families during the winter months was very great. When spring came, several bands, the most famous of which was known as "Coxey's army," started for Washington to demand relief from the government. In Europe the impression was general that the United States was witnessing a great insurrection, but the danger was so slight that the armies almost disbanded before reaching the capital and the movement reached its anti-climax when the survivors were arrested for walking on the grass of the capitol grounds.

occurred at the same time on the Pennsylvania and other lines. Pittsburg was the center of the rioting and disorder, and the mobs in that city were dispersed only by the use of Gatling guns. A large amount of property was destroyed, order being restored finally when United States troops were ordered to Pittsburg.

Labor union movement.

Wright, *Industrial Evolution*, 241–263.

After 1877 more interest was taken by the workers in the formation of labor organizations. Many joined the Knights of Labor, the largest of the unions, which in 1885 had a half million members. The American Federation of Labor was organized in 1881 and several other national labor organizations have been formed since. The principal objects of these bodies have been to raise wages and reduce the hours of labor, through coöperation, by strikes if necessary. More than one half of the strikes undertaken by the unions have been won by the workers, although they have lost many of the larger strikes. Among the prominent strikes after 1877 were those occurring in 1886 on the Gould railways in the southwest, the one in Chicago in connection with which the Haymarket riot occurred,[1] one at Homestead in Pennsylvania in 1892, strikes in the mining regions of the West, and those considered in the following sections.

Labor legislation.

Wright, *Industrial Evolution*, 273–282.

Stimson, *Labor in Relation to Law*, 1–16.

The influence of the labor unions in securing changes in the state or national law has been very great. As early as 1882 they had secured a law restricting immigration and in 1885 succeeded in persuading Congress to pass a bill forbidding altogether the importation of laborers under contract to work in America. In the states the unions took the lead in obtaining laws which declared eight hours a legal day's work. More than any other bodies of citizens they have striven to exclude the Chinese.

Strike in the West.

Andrews, *Our Own Time*, 722–730.

456. The Pullman Strike (1894). — In 1894 there occurred the greatest strike in the history of the United States. The original strike was among the employees of the Pullman Car Company, of Pullman, a suburb of Chicago. Many of the employees of this company had joined the American

[1] See Andrews, *The United States in Our Own Time*, pp. 529–535.

Railway Union, which was composed of employees on railways throughout the West. The Union decided finally to declare a sympathetic strike on all of the lines using Pullman cars. June 26, this was done and for several weeks few trains were operated on the railways from Lake Erie to the Pacific. Rioting occurred in Chicago and at other points, the local authorities in many cases being unable to preserve order or protect property. President Cleveland ordered United States troops to Chicago to prevent interference with the carrying of the mails or with interstate commerce. Against this action Governor Altgeld of Illinois protested, as he maintained that the national government had no right to send troops unless he called for them. He was unable to see that the troops were enforcing simply national law. The strike collapsed eventually without gaining any concessions from the employers.

Wright, *Industrial Hist.*, 313–317.

Cleveland, *Pres. Problems*, 79–117.

During the progress of this strike and others during the year 1894, the national courts had made free use of their power to issue "injunctions." For example, the employees of the Northern Pacific Railway had been enjoined from striking. During the progress of the "Pullman Strike," the leaders of the Railway Union, Eugene V. Debs and his associates, were arrested and later imprisoned for disobeying injunctions, which had been served upon them with an idea of preventing further interference with business.

Use of injunctions in strikes.

Andrews, *Our Own Time*, 732–734.

Stimson, *Handbook of Labor Law*, Chapter IX.

457. Recent Labor Controversies. — Numerous labor controversies have occurred during the opening years of the twentieth century, at least three of which were prominent: that of the anthracite coal miners of Pennsylvania in 1902, that of the miners in Colorado, and that of the coal miners in 1906. The anthracite miners' strike of 1902 was due to the refusal of the mine operators to recognize the unions and grant an increase of wages. It involved nearly 150,000 men and lasted over five months. In fact the shortage of coal during the winter of 1902–1903 on account of the dispute caused great suffering among the poor in eastern cities. Through the intervention of President

Coal strike (1902).

Review of Reviews, 26 (1902), 517–526.

International Year Book, (1902), 642–645.

Peck, *Twenty Years*, 690–698.

Roosevelt both sides agreed to submit the matter to arbitration by a commission appointed by the President, mining to be resumed at once. The decision of the commission was a compromise, the miners receiving a substantial increase in wages, although less than they demanded, and the union being recognized tacitly though not officially.

Colorado controversy.

Baker, R. S., in *McClure's*, 23 (1904), 43-57.

The Colorado dispute was much more than a strike and grew out of a deep-seated distrust of each party for the other. It developed into what was practically a civil war in which the government of Colorado sought to maintain order by suppressing, and, in cases, banishing the strikers, and the strikers attacked the mine owners in every way possible. A semblance of harmony was restored finally.

Difficulty with coal miners (1906).

Engineering Magazine, 31 (1906), 255-261.

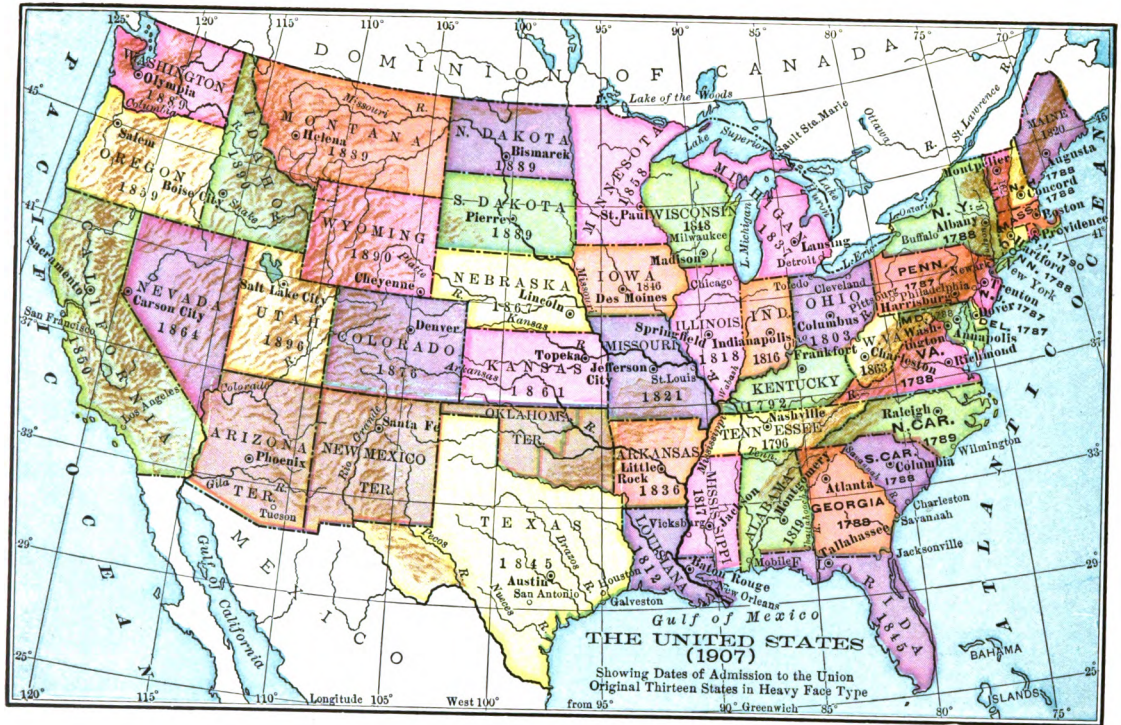
The controversy in 1906 between the coal miners and the operators affected both the anthracite and bituminous workers east of the Mississippi, as well as some west of that river, about a half million miners in all. Although the mining of coal was suspended for several weeks, there was no strike, and the controversy was settled by direct agreement of the operators and miners in the different states, without even submission to arbitration. This is one of the most prominent instances of peaceable settlement of differences — a method that is used much more than formerly.

Political and Social Changes

Elements of the population.

Commons, J. R., in *Chautauquan*, 38 (1903), and 39 (1904).

458. **Population (1900); Immigration.** — At the opening of the twentieth century the population of the United States was more than 76,000,000, that of the United States and its dependencies was nearly 85,000,000. This represents an increase of nearly fifteenfold during the century just closed. At the beginning of the nineteenth century even Ireland contained a larger number of people than the entire United States. At its close only Russia had a larger white population. About one eighth of the people living in the United States to-day are colored; a larger number, about fifteen per cent, were born abroad; and at least one third are of foreign parentage. At present more than one third


THE UNITED STATES
(1907)
Showing Dates of Admission to the Union
Original Thirteen States in Heavy Face Type
DOMINION OF CANADA
Gulf of Mexico
MEXICO
WASHINGTON
Olympia
1889
OREGON
Salem
1859
Boise City
CALIFORNIA
Sacramento
San Francisco
Los Angeles
NEVADA
Carson City
1864
IDAHO
1890
MONTANA
Helena
1889
WYOMING
1890
Cheyenne
UTAH
Salt Lake City
1896
COLORADO
Denver
1876
ARIZONA
Phoenix
NEW MEXICO
Santa Fe
TER.
N. DAKOTA
Bismarck
1889
S. DAKOTA
Pierre
1889
NEBRASKA
Lincoln
1867
KANSAS
Topeka
1861
OKLAHOMA
TER.
TEXAS
1845
Austin
San Antonio
Galveston
Houston
MINNESOTA
1858
St. Paul
WISCONSIN
1848
Milwaukee
Madison
IOWA
1846
Des Moines
Chicago
ILLINOIS
Springfield
1818
MISSOURI
St. Louis
Jefferson City
1821
ARKANSAS
Little Rock
1836
LOUISIANA
1812
New Orleans
Baton Rouge
MISSISSIPPI
1817
Vicksburg
Jackson
ALABAMA
Montgomery
1819
Mobile
GEORGIA
1788
Atlanta
Tallahassee
FLORIDA
1845
Jacksonville
BAHAMA ISLANDS
S. CAR.
1788
Columbia
Charleston
Savannah
N. CAR.
1789
Raleigh
Wilmington
VA.
1788
Richmond
Norfolk
W. VA.
1863
KENTUCKY
1792
TENNESSEE
1796
Nashville
OHIO
1803
Columbus
Cleveland
Toledo
Pittsburg
Frankfort
IND.
1816
Indianapolis
MICH.
1837
Lansing
Detroit
Lake Michigan
Lake Superior
Lake Erie
Lake Ontario
Lake of the Woods
Sault Ste. Marie
PENN.
1787
Philadelphia
Harrisburg
Scranton
N. Y.
1788
Albany
Buffalo
MD.
1788
Annapolis
DEL.
1787
N. J.
1787
Trenton
Newark
CONN.
1788
Hartford
New York
MASS.
1788
Boston
Concord
R. I.
1790
Providence
MAINE
1820
Augusta
Montpelier
Missouri R.
Columbia R.
Snake R.
Colorado R.
Rio Grande
Pecos R.
Arkansas R.
Red R.
Ohio R.
Tennessee R.
Cumberland R.
Kanawha R.
Potomac R.
Susquehanna R.
Delaware R.
Hudson R.
St. Lawrence R.
Ottawa R.
Longitude 105° West 100° from 95° Greenwich
120° 115° 110° 105° 100° 95° 90° 85° 80° 75° 70°
45° 41° 37° 33° 29° 25°

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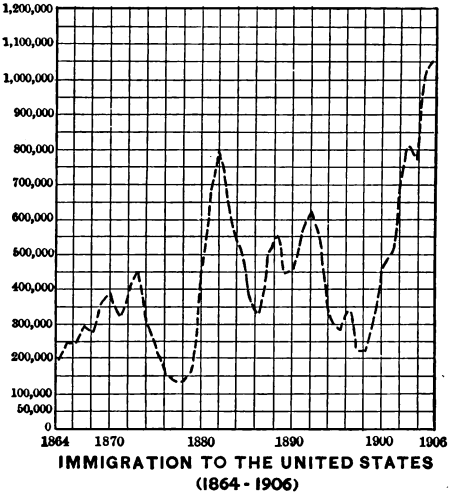
of the people live in cities of more than 8000 inhabitants, the proportion of the rural population having decreased steadily and rather rapidly during the last century.

The character of the population has changed somewhat during recent years, largely on account of changes in immigration. Twenty years ago the majority of the foreigners who came to America were Teutons or Irish, people with ideas and customs which differed somewhat from our own, but capable of assimilation with the native stock. Since 1890 a much larger percentage of Italians, Hungarians, and Russians have come to America. Instead of settling, as most of their predecessors did a half century ago, on small farms (§ 296), they have congregated in cities, forming race clusters which retain their old language and customs and often threaten the unity of our national life. A large proportion of these people from eastern and southern Europe are illiterate and incapable of performing a high grade of work. Their children are usually anxious to learn, so that they frequently adopt American ways and show pride in their American citizenship; but it must be admitted that the large influx of foreigners of this character furnishes one of our chief problems. The immigration laws that have been in force debar Chinamen, paupers, insane people, and persons under contract to labor, from entering the United States,

Extent and character of recent immigration.

Hall, *Immigration*, 36–66.



IMMIGRATION TO THE UNITED STATES (1864 - 1906)

Ward, R. D., in *Pop. Sc. Mo.*, 66 (1904), 166–175.

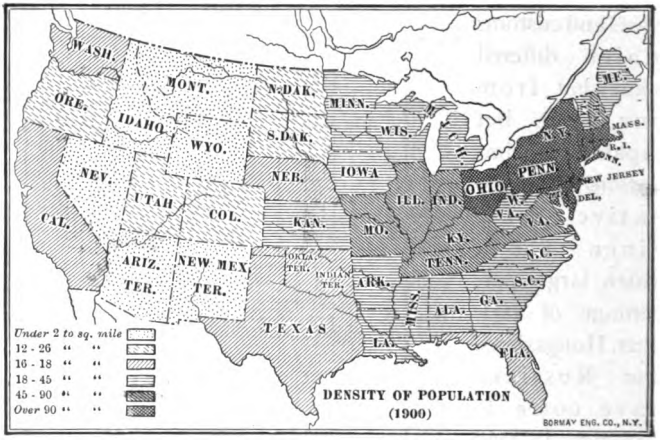
Claghorn, K. H., in *World's Work*, I (1901), 381–387.

Hewes, F. W., in *World's Work*, 6 (1903), 4021–4024.

but there is some ground for the accusation that parts of Europe have been willing to make America the dumping ground for criminals and other undesirable classes.

Western states admitted (1876–1907).

459. New States and New State Constitutions. — The rapid settlement of the West after the Civil War and the discovery of silver in Colorado led to the admission of two new



states, Nebraska in 1867 and Colorado in 1876, making the total thirty-eight. During the early 80's the increase in population in Dakota and Washington produced a desire in those territories for admission. After repeated efforts and strenuous opposition, based largely on partisan reasons, the two Dakotas, Montana, and Washington became states in 1889. The next year two mountain states, Idaho and Wyoming, neither of which contained 100,000 inhabitants, were admitted. Utah made the forty-fifth state in 1896, when she agreed never to permit polygamy. Eleven years passed before the next state entered the Union, when Indian Territory was joined to Oklahoma, making a state of good size, abundant resources, and a population of about a million. At that time Arizona and New Mexico, which had sought admission for years, were allowed to decide whether they should come in together, but this union was rejected by Arizona.

Direct legislation in the states.

The chief characteristic of the new constitutions adopted in these states and in others since 1865 has been the increase in the power of the voters in making laws. There are two forms of this popular or "direct" legislation. The first is called the "referendum." This is used when the people ratify a constitution, a constitutional amendment, a law, or a resolution granting money for public improvements. At present it is used more by the local than by the state governments, especially in the middle West. The second form is called the "initiative." The initiative is the right of the people to propose laws which the law-making branch of the government must pass or submit to the people. It is used in many cities and by counties, and in South Dakota and Oregon for state legislation.

Sibley, G. H., in *Arena*, 29 (1903), 625–630.

Restriction of the elective franchise.

460. Changes in the Suffrage and other State Laws. —A second characteristic of recent constitutions is the restriction of the suffrage or elective franchise. Four states have given the ballot to women on the same terms as men, but most of the laws have limited the number of persons that may vote, because of the evils due to the ignorance of many voters. Educational qualifications were adopted in Connecticut and Massachusetts before the Civil War and similar qualifications are now required in several other states. In the South, the whites have struggled with the problem of how to disfranchise the negroes without violating the fifteenth amendment of the United States Constitution. Mississippi was the first state to pass a law with this in view, when in 1890 she prescribed an educational test for voters which disfranchised many more blacks than whites. South Carolina does not deprive those intellectually unfit if they own property assessed at $300. Virginia, North Carolina, Alabama, and Louisiana have special qualifications but exempt those who voted or whose ancestors were voters or soldiers before 1867. The operation of these "grandfather clauses" is the practical disfranchisement of most of the negroes without debarring the whites from voting.

Outlook, 74 (1903), 399–403.

Poe, C. H., in *No. Am. Rev.*, 175 (1902), 534–543.

Bruce, *Rise of New South*, 447–453.

Among other notable changes in state law or administra-

Reforms. Pure food laws.

Allen, R. M., in *Pop. Sc. Mo.*, 69 (1906), 52–64.

tion have been the adoption of an improved ballot, more perfect primary laws (§ 402), and the nomination of public officials directly in the primaries instead of the party conventions. Many states have passed pure food laws in order to prevent the manufacture or sale of poisonous or adulterated drugs or food. These have been supplemented by the enactment by Congress (1906) of a pure food law which forbids the sale of impure foods and compels the manufacturer of patent medicines to name the quantity of ingredients which might be considered objectionable.

Improvements in the public schools.

Rogers, *Devt. of North*, 403–418.

461. Education and Taxation. — Among the most notable changes in the states during the last half century has been the development of our system of free education. Although most of the states had free common schools a half century ago, a much larger proportion of the children to-day attend public schools than formerly, the school term is longer and the instruction more elaborate. Free high schools, which were rare before the Civil War, are found everywhere now, and state universities have been established in the majority of the states. In spite of the great influx of ignorant immigrants, there were fewer illiterate people over ten years of age in the United States in 1900 than there were in 1880, the total population having increased meanwhile over fifty per cent.

Tax systems.

Commons, J. R., in *Rev. of Revs.*, 27 (1903), 202–208.

Walker, F., in *Annals Amer. Acad.*, 19 (1902), 165–184.

Several of the states have devised new systems of state taxation which are better suited to the industrial conditions of to-day than the older general property tax.[1] The chief reliance is placed on corporation taxes in these states, but our systems, except in two or three states, are still antiquated compared with those used in the most progressive European countries.

Woman's rights a half century ago.

462. Legal Rights of Women. — The first half of the nineteenth century was notable for the rapid increase in the number of political and legal rights of men (§ 292). The second half marks almost as complete a change in the legal sta-

[1] See Ashley, *American Government*, §§ 100–105.

tus of women. In 1850 women did not vote for candidates for public office anywhere. In many states married women did not have the right to hold property. Both law and custom prevented them from engaging in any of the professions except that of teaching. About the middle of the century a few earnest women sought to arouse interest in the legal disabilities of women, especially those who were married. Because many of them believed that woman's rights were to be obtained only through woman's suffrage, many of them devoted most of their attention to securing the ballot for women. This attempt was not particularly successful, but the interest awakened in improving the legal position of women has produced remarkable results.

Increase in number of political and civil rights.

In four states, Wyoming, Colorado, Utah, and Idaho, women may vote on the same terms as men. In several states all women who own property may vote on all questions directly involving taxation. In about one half of the states in the Union all women over twenty-one years of age are allowed to vote at school elections. Married women are now allowed to own separate property and in most of the states have complete control of its disposal. In many states all that is earned and saved after marriage becomes the joint property of husband and wife, who are supposed to have contributed equally in bearing the family burdens. Many civil rights which were denied to women formerly now enable them to protect themselves. Unfortunate as many of the results of our lenient divorce laws have been, these laws have been an important factor in freeing women from the unequal and unjust burdens which marriage formerly placed upon many of them.

Abbot, L., in *World's Work*, 8 (1904), 5033-5042.

The Nineteenth Century, 179-204.

Results of the changes.

The so-called emancipation of women had been furthered by the new occupations opened to them. They have entered all the professions. Several colleges are devoted exclusively to women, and most of the others admit men and women on the same terms. Certain occupations are filled almost exclusively by women, and in several others they have compelled men to work for lower wages, this being

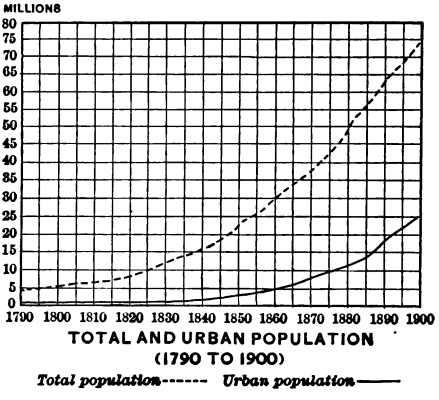
Giddings, *Democracy and Empire*.

one of the serious disadvantages of a movement which has made women "independent." As ordinary wage earners, moreover, women, and children as well, are protected by the laws which limit the number of hours per week that they may be employed.

Extent of urban development.

Weber, A. F., in *Municipal Affairs*, 5 (1905), 367–375.

463. Growth of Cities. — One of the most significant changes of our history has been the growth of our cities. At the beginning of the Civil War only one sixth of the people of the United States dwelt in cities, the largest city being New York, which boasted 805,657 inhabitants. Only eight other cities contained 100,000 people. At the present time about thirty-five per cent of our population is urban. Greater New York, with over 4,000,000, is second only to London in numbers, and thirty-seven other cities had reached the 100,000 mark in 1900. Chicago, which in 1860 was a straggling western town of barely 100,000, is now the great commercial center of the interior with more than 2,000,000. The concentration of population is more marked in the northeastern states than elsewhere, nearly two thirds of those in that section living in cities of more than 8000 inhabitants. Even the Pacific coast has developed fairly large cities, four having attained 100,000 in 1907.



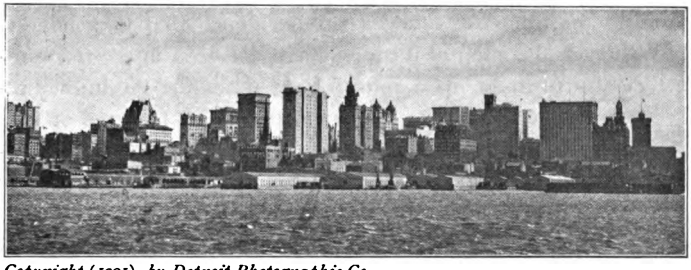
TOTAL AND URBAN POPULATION (1790 TO 1900)
Total population------ *Urban population*——

Changes in standards of living.

The movement from country to city is due principally to the social and business advantages which cities offer. It indicates the growing tendency of the nation to obtain wealth, and to use that wealth extravagantly in the satisfaction of social desires. The simple standards of a half cen-

tury ago no longer satisfy. Every one lives on a grander scale. The luxuries of yesterday become the necessaries of to-day. With the cheapening of articles manufactured by

The Nineteenth Century, 417–430.



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NEW YORK OFFICE BUILDINGS

improved machinery, material comforts are brought within the reach of all. Telephones are found in a large proportion of city homes and in many well-settled rural districts. Electric lights reach the majority of the people in the United States. Electric railways penetrate in every direction the territory adjacent to our cities and towns. Truly the nineteenth century was an era of material advancement unequaled before in the history of the world.

THOMAS A. EDISON

This rapid development has not been unaccompanied by dangers. The segregation of people gives opportunities for crime unknown in rural districts. The problem of preserving order is one of the most serious confronting our city governments. The large proportion of foreigners in cities is often a menace to civil progress, and one of the chief problems in securing good government.

Dangers of congestion in cities.

Commons, J. R., in *Chautauquan*, 39 (1904), 115–124.

464. Corruption and Fraud. — There has been a strong movement during the last two decades to remove the worst evils of city government. Many of our larger cities have

Protests against ring rule in cities.

Ford, H. J., in *Pol. Sc. Quar.*, 19 (1904), 673-686.

been controlled by bosses or rings which have not governed them in the public interest. These politicians have usually been able to maintain their control because of the large number of positions which they may fill with their appointees and the immense sums of public money that they handle, because also men of business have not been interested sufficiently to insist upon reform. At times the public has rebelled and for a time abolished the worst features of ring rule, but organization is necessary in the successful administration of any government and the forces of reform usually fail to remain united. In general, however, our cities are governed better than formerly. As an illustration of the old state of affairs we may note the prevalence of corruption in and blackmail by the police department of New York unearthed during the Lexow investigation (1894), and the victories of Circuit Attorney Folk in St. Louis (1903) and of Mayor Weaver of Philadelphia.

Postal frauds and reforms.

White, W. A., in *McClure's*, 23 (1904), 506-520.

Strange as it may seem, these exposures of government officials are proof positive that the nation is being governed better. Without an awakened public conscience and interest, corruption would continue as before. In the national government the chief reforms have been in the post office department and in that of the interior. During the last fifteen years the post office has introduced numerous new methods and improvements, notably the development of a valuable system of rural free delivery. With the extraordinary growth of the business in the department there came opportunities for "graft." In making appointments for rural deliveries and in awarding contracts for articles used or supposed to be used by the department many postal officials succeeded in supplementing their salaries by large sums. Owing to the energy of President Roosevelt and his associates several of these grafters were punished.

Public land frauds.

465. Our Land System. — President Roosevelt has prosecuted also the men who have defrauded the government of millions of acres of public lands. Under the liberal Homestead Act, and the still more liberal Desert

Land Act, which allows any person to secure six hundred and forty acres of supposedly arid land, individuals and corporations have acquired large areas, in some cases several thousand square miles. Through the efforts of Roosevelt's secretary of the interior, E. A. Hitchcock, many of these grafters were brought to justice, especially in Oregon, and many cattle men who have fenced public lands have been forced to withdraw.

Harper's Weekly, 49 (1905), 898–901, 919–920.

Brown, W. S., in *Outlook*, 85 (1907), 426–429.

Since the days of Rome, long before the Gracchi sought to introduce reforms, the land policy of a nation has exerted a great influence on its development. Nothing has affected more vitally the political and economic development of the United States as well as the social life of the people than the public lands. During the closing years of the Revolution the public lands in the West produced the chief bond of union among the states (§ 181). In the West the possibility of acquiring title to public lands was the principal factor in the rapid development of the section east of the Mississippi between 1815 and 1845, and west of the Mississippi after the Civil War. Our public land policy has helped to keep us a nation of small farmers; it has developed a real democracy, not simply political but social and economic. It has helped us to absorb as true American citizens multitudes of foreigners who have come to us. But in many ways our laws have been so liberal as to be unwise. The national government has given away land it should have kept. More than this, its leniency has permitted persons to stretch even those liberal laws and defraud the people of lands that the future will show should have been retained by the nation.

Importance of our land system.

Bullock (ed.), *Readings in Public Finance*, 64–80.

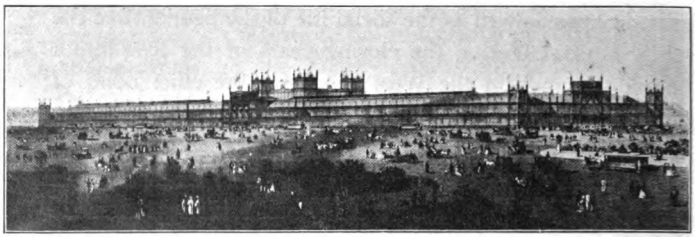
466. The Irrigation Law (1902) and its Application. — The culmination of the wise and liberal land legislation of the United States has been the enactment (1902) and the application of a law for the irrigation of arid lands. The government has planned and is now constructing great reservoirs in which the spring floods are saved to be used for irrigating during the summer and fall lands which would otherwise be unproductive. This policy applies to the states or

Law of 1902.

Helburn, J. W., in *American Magazine*, 61 (1905), 493–504.

Newell, F. H., in *Pop. Sc. Mo.*, 66 (1904), 106–116.

territories in the western part of the country. The scheme is largely self-supporting. A fund is credited by the sale of public lands in these states. This money is used to construct dams; the lands irrigated from these reservoirs are sold to actual settlers and the money is placed in the fund for further expansion of the work. The reclamation service of the interior department has achieved remarkable results in examining districts that might be made arable, in planning the construction of dams amid great engineering difficulties, perhaps hundreds of miles from the territory provided with water, and in carrying this policy into effect. The execution



MAIN BUILDING, CENTENNIAL EXPOSITION, 1876

of this plan has involved us in international complications with Mexico on the lower Rio Grande and Colorado, because of the Mexicans whose supply of water is affected, and with Great Britain on the Montana border. These are but minor incidents in the completion of a plan which will literally make "the desert blossom as the rose."

Expositions.

Andrews, *Our Own Time*, 196–200, 617–622, 633–662, 885–895.

467. Miscellaneous. — A characteristic of life in the United States during the last third of a century has been the expositions held in different cities. In these have been exhibited the achievements of the nation and of foreign countries to that time, but they have been much more than great displays. They have educated the throngs that have visited them and have done much to destroy the sectionalism which thrives on ignorance. That at Philadelphia (1876), for example, marks an epoch in American history, for many of the ten millions who attended the fair realized for the first

time the great industrial advance made by our country and appreciated that the United States was really a great nation in which their locality was not necessarily the most important part. The Columbian exposition at Chicago (1893), to commemorate the four hundredth anniversary of the discovery of America, was notable especially for its artistic and architectural features. Among the numerous later expositions which followed that at Chicago, the finest was held

COURT OF HONOR, CHICAGO (1893)

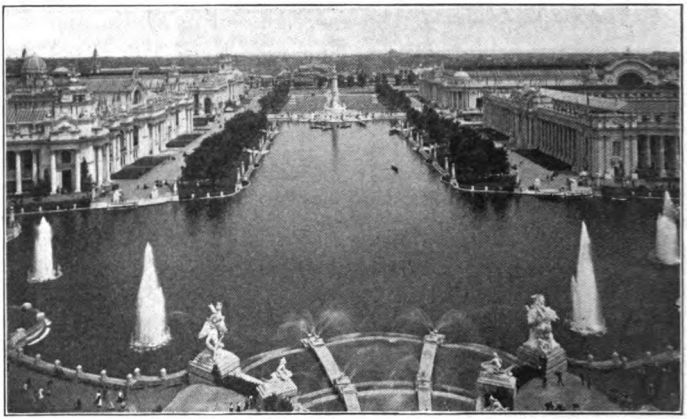
at St. Louis in 1904 in honor of the purchase of Louisiana a century ago.

Disasters.

The spirit of the American people has been tested in no way better than by the great disasters that have befallen different cities. Not only have those who have suffered especial loss shown courage and perseverance, but the nation as a whole has responded to every appeal with sympathy and generous contributions. In 1871 Chicago recovered with marvelous rapidity from the great fire which destroyed eight square miles of her finest business section. Boston experienced a great fire about the same time. In 1889 the breaking of a dam above Johnstown, Pennsylvania, caused a flood which destroyed that town and the

Andrews, *Our Own Time*, 5–10, 593–597.

lives of several thousand persons. Galveston was visited by a great storm which practically obliterated the city, and Baltimore in 1904 had an $80,000,000 fire. The greatest disaster of all overtook San Francisco in 1906, when by



GRAND BASIN, ST. LOUIS (1904)

earthquake and fire several hundred persons perished and the greater part of the city was destroyed. In every case the houses and blocks were rebuilt on a grander scale, and the people emerged from the disaster with a greater determination to succeed.

THE NATION AND ITS GOVERNMENT — A COMPARISON

The American people of 1776.

468. Changes of a Century and a Third. — As we look back over the years since the United States first declared themselves independent of Great Britain, we cannot fail to be impressed with the great changes that have taken place. It is not simply the fact that the America of that day consisted of only thirteen states with but two millions and a half inhabitants. The people then lived really in a different world from that which we know. Before the days of steam and electricity and machinery, life was simple and narrow. Their political ideas and ideals impress us as being conser-

vative and provincial. One standard of life, its purpose and its methods, prevailed in the North; others, elsewhere. Their political standards were alike only in their intense hatred for monarchy, their equal distrust of real democracy.

Territorial and industrial expansion since 1776.

Difficult as it is to measure and compare views and abstract qualities, we must content ourselves with the contrast presented by institutions and forces that can be studied easily. We can see how the territory of the United States, which in 1776 covered only the Atlantic slope, with vague claims to the interior, expanded in 1783 to the Mississippi, then extended to the Rockies, the Gulf of Mexico, and finally the Pacific, stretching across the finest part of the continent and washed by the waters of the two great oceans of the globe. We can note the acquisition of outposts in different parts of the world that bind us closer to the rest of the human family. The two millions and a half have grown to nearly one hundred millions, including those living in our insular possessions. Our total wealth, measured then by the hundred millions, is now estimated at much more than one hundred billions. Our foreign commerce has expanded fiftyfold. Then we had no manufactures except the humble shops that employed but few hands. Now single corporations employ more men than there were in any state in those days. We can cross the continent in less time than our ancestors could go from New York to Boston and with less discomfort than they could go from town to town. But we need not multiply illustrations. Certainly it must be clear to every one that the material progress since 1776 has revolutionized the world of that day.

Three great political contributions to the world.

469. Important Characteristics of American Development. — Yet it is not in material development but in the political field that we must look for those characteristics which distinguish the United States from other nations. We have developed certain political ideas and influenced the world by persuading other nations to adopt the principles which we have proved satisfactory in practice. Of these, three deserve especial attention. (1) The United States has

proved not simply that a *republic of a really democratic nature* may be developed, but that it may be developed on a large scale. The republics of history were small and aristocratic. (2) The United States has furnished the first example of a nation governed in accordance with a *written constitution*, an example which most of the other nations have followed. (3) The United States was the first nation to prove that a *federal system of government* can be used to advantage, combining complete autonomy of the states in matters of local interest with the supremacy of the national government in public questions of national importance.[1]

Changes in our federal system since 1789.

The success of the American nation has been due in a great degree to the combination of these three principles: democracy, the written constitution, and a federal system. But the development of the nation, as we have noticed in detail elsewhere, was a process completed only after a long, bitter struggle. The democracy of to-day is unlike that of even a century ago. The national Constitution under which we are governed may be similar in form to that of 1787, really it is a very different instrument. In 1789 we had a federal system which was nominally the same as it is now; but at that time we had States and a nation, now there is a Nation and states. Then all spoke of the states as sovereign, and of the central government as sovereign only in regard to the powers conferred upon it. A hundred years ago the right of secession was practically claimed by every section; to-day no state would dare to attempt to call withdrawal from the Union legal secession. In the early years of our history much was heard about nullification, but our present interest in the word is purely historical. Whatever we may think about the permanence of the states, one thing is assured: the Union will stand, growing stronger with the onward march of the centuries.

470. The Central Government. — The contrast between

[1] On the nature of federalism in America, see the author's *American Government*, or for a fuller account, his *American Federal State*, Chapter X.

the government of the United States in 1789 and to-day is most striking. In 1789 none of the three departments had tested its strength and none knew whether it would prove able to perform the tasks assigned it. Few people expected to see the old Confederation, with its lack of power, its failure to inspire respect, its impaired credit, and its overwhelming debt, replaced by a new government that should show itself competent just where the old Congress was inefficient. To the people of that day the central government was far removed — a vague, impersonal thing, much more of a necessary evil than a permanent good; and, if too powerful, an engine for the destruction of liberty. That it did not inspire awe, perhaps not respect, is evident from the events connected with the first Congress and the first inauguration. We cannot imagine to-day a meeting of Congress called for the 4th of March which does not take place until the 6th of April, because no quorum is present; nor can we think of an inauguration postponed eight weeks beyond the day set. For such a state of affairs poor roads and adverse winds cannot be held responsible by the most charitable historian.

The national government in 1789.

Bryce, *Am. Commonwealth* (abridged ed.), 278–284.

Cf. Wilson, *Cong. Gov't*, 28–57.

The fears which the people had of the Congress and the president, as well as the dangers of impotent government, were not overcome in a day. The central government has proved its strength and won the confidence of its citizens. We do not dread it more than the other governments under which we live, and our attachment to it to-day is more real and pronounced.

Its position to-day.

In this development a great many provisions of the paper Constitution have been ignored or supplemented by law and custom, yet we still find that the separation into three departments, largely independent, is no fiction. The legislative department is necessarily the most powerful, as it has the most important work to do; but it has never subordinated the others entirely to itself. Each has maintained a position essentially that which the "fathers" expected.

The separation of departments maintained.

471. The Unwritten Constitution. — We have already indicated how the federalism recognized by the Constitution

Some characteristics of the unwritten constitution.

has been modified, but several changes of great significance, though more specific, deserve mention. The most important characteristic is the general tendency toward a liberal construction of the written Constitution, covering such subjects as the acquisition of territory, the making of internal improvements, and the issuing of paper money, none of which are authorized in that document. Since 1800 the president has not been chosen by electors exercising independent judgment, but by persons representing political parties, and now chosen by the qualified voters of each state. They do no more than register the wishes of the majority of the voters. A president may be reëlected once, but not twice. His power in time of war is all that the most visionary opponent of constitutional ratification may have imagined. The executive power is centered in him, *i.e.* all persons belonging to the administration are nominally appointed by him, and are really responsible to him. But in his appointments he is obliged, by custom, to follow the dictates of congressmen in filling most of the offices in the United States, though the Senate never refuses to confirm a member of the cabinet. The cabinet is a body practically unrecognized by the Constitution. Custom has determined that it shall be composed of the heads of the departments, who have no seats in Congress and do not direct legislation, as in England. As a cabinet, they are an advisory body, but the president is not bound to follow their advice; as heads of departments, they are the administrative agents of the president.

The political party as a factor in the government of the United States.

Our government has become one by the people acting through political parties. The president is a party leader. Senators and representatives belong to some national party nominated according to well-recognized rules. The speaker of the House of Representatives, an officer barely mentioned in the Constitution, has developed tremendous power over the organization and legislation in the House because he is the party leader of the majority. Only the courts are free from partisanship, and that is because they have volun-

tarily and consistently refrained from considering political questions as such. Yet even the judges always belong to the same party as the president who appointed them. In the states and the cities the organization of the party machinery needed for national elections has made it necessary to fight out every contest on party lines.

These are a few of the changes wrought in the national government by the unwritten constitution.

Class rule in eighteenth century.

472. Popular Coöperation in Government. — In 1789 the United States was governed by classes. People could not vote unless they owned a certain amount of property and had been for a long time residents of the state and district. Officials were by law usually required to own a much greater amount of property, and by custom they were ordinarily drawn from certain families. Except in the New England townships the local government was by no means popular, for elsewhere the town, parish, and county officers were either appointed by the state governments or chosen by a few persons.

Lack of suffrage restrictions at present.

To-day suffrage is everywhere practically universal. Religious qualifications were abolished long ago, when State and Church were separated, but the nation has become more rather than less religious. The few restrictions of time, residence, and citizenship for electors are essentials of good government. Officeholding is open to any one who has the personal qualities needed for winning popular favor. All of the chief positions in national, state, and local governments are filled by popular election, and changes in fundamental law must meet with approval of the voters. The people coöperate in government largely through parties, but the control of those parties belongs to them; for no one that seeks to become a party dictator or " boss " can maintain his position in the long run without popular support. We have now as truly a government " of the people, by the people, for the people " as ever existed, with most of the benefits and most of the faults inherent in democratic rule.

TOPICS

1. CORRUPTION AND REFORM, MUNICIPAL: Flint, "The World of Graft," pp. 9–88; Myers, "History of Tammany Hall," 252–350; Steffens, "Shame of the Cities."

2. THE UNITED STATES IN THE EAST: Barrett, J., in *North American Review*, 175 (1902), pp. 655–663, and in *Forum*, 30 (1900), pp. 478–491; Low, S., in *Annals American Academy Political Science*, 26 (1905), pp. 1–15; Colquhoun, "Greater America," pp. 62–111, and "Mastery of the Pacific"; Semple, "American History and its Geographic Conditions," pp. 420–435.

3. THE UNITED STATES AS A WORLD POWER: Olney, R., in *Atlantic Monthly*, 85 (1900), pp. 289–301; Hart, A. B., "Foundations of American Foreign Policy;" Emory, F., in *World's Work*, I (1900), pp. 65–72; Reinsch, "World Politics," pp. 309–362; Colquhoun, "Greater America," pp. 147–170; Latané, "The United States as a World Power."

STUDIES

1. Growth of Manufactures in the United States. (Rogers, "Development of the North" ("North America," XVIII), pp. 235–250.)

2. Standard Oil Company. (Montague, "Rise and Progress of the Standard Oil Company.")

3. Development of the South since the Civil War. (Bruce, "Rise of New South" ("North America," XVII), pp. 455–472.)

4. Economic conditions since the Civil War. (Emery, H. C., in "Cambridge Modern History," VII, pp. 697–722.)

5. Commercial invasion of Europe. (Vanderlip, in *Scribner's Magazine*, 31 (1902).

6. Inventions of recent years. (Rogers, "Development of the North," pp. 365–386.)

7. Economic effects of immigration. (Hall, "Immigration," pp. 121–138.)

8. Tendency toward economic betterment. (Henderson, "Social Elements," pp. 141–166.)

9. Trial of the Haymarket rioters. (Judge Gary, in the *Century*, 45 (1893), 803–837.)

10. Municipal ownership of street railways in Chicago.

11. The general property tax in the United States. (Bullock (ed.), "Readings in Public Finance," pp. 202–253.)

12. Land laws of the arid region. (Mead, "Irrigation Institutions," pp. 13–40.)

13. Growth of southern cities. (Bruce, "Rise of New South," ("North America," XVII), pp. 231–249.)

14. Social conditions in the South. (Bruce, "Rise of New South," pp. 421–435.)

15. American democracy. (Münsterberg, "American Traits," pp. 173–235.)

16. The problem of the African. (Shaler, "The Neighbor," pp. 126–191.)

17. Five American contributions to civilization. (Eliot, "American Contributions to Civilization," pp. 1–38.)

18. Some reasons why the American republic may endure. (Eliot, "American Contributions to Civilization," pp. 39–70.)

19. Geographic distribution of immigration. (Semple, "American History and its Geographic Influences," pp. 310–336.)

20. The American intellect. (Wendell, Barrett, in "Cambridge Modern History," pp. 723–751.)

QUESTIONS

1. Place in your notebook a complete summary of the following topics showing the sections of the text in which details may be obtained: territorial growth, Federalist party, old Republican party, Whig party, Democratic party, Republican party, minor parties, railway development and control, foreign relations in general.

2. What are the chief advantages of economic consolidation? What are the disadvantages of the policy? Why do not trusts raise prices indefinitely if they have no competition?

3. Should there be more restraint of corporations than at present? What are the chief difficulties in railway regulation? How does our federal system of government complicate the railway problem? What are the advantages and disadvantages of government ownership of railways?

4. What has been gained through organization of labor? Do any of the labor laws of to-day interfere with our industrial success? Should there be compulsory arbitration of labor difficulties?

5. Compare the immigration of to-day with that of former years, noting races represented, places where immigrants settle, immigration problems to be solved.

6. What are the advantages of universal suffrage? the disadvantages? Is the franchise of to-day likely to become more or less restricted? Was the fifteenth amendment a mistake? Give arguments for and against woman suffrage.

7. What are the chief problems for the nation to solve? What solutions have been suggested for each?

8. Give the specific gains to labor through organization. To what extent have strikes been objectionable? Should the state or national governments organize permanent boards to arbitrate labor questions? Should arbitration be compulsory?

APPENDIX

THE DECLARATION OF INDEPENDENCE

(Adopted by the Continental Congress, July 4th, 1776.)

In CONGRESS, July 4, 1776. The unanimous declaration of the thirteen united States of America.

WHEN in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, — That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establish-

ment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the mean time exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.

He has affected to render the Military independent of and superior to the Civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment, for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offences:

For abolishing the free System of English Laws in a neighbouring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely parallel in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections among us, and has endeavoured to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.

Nor have We been wanting in attentions to our Brittish brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the REPRESENTATIVES of the United States of America, in GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be free and Independent States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

JOHN HANCOCK.

[1] [*New Hampshire.*]
JOSIAH BARTLETT,
WILLIAM WHIPPLE,
MATTHEW THORNTON.

[*Rhode Island.*]
STEPHEN HOPKINS,
WILLIAM ELLERY.

[*Massachusetts Bay.*]
SAMUEL ADAMS,
JOHN ADAMS,
ROBERT TREAT PAINE,
ELBRIDGE GERRY.

[*Connecticut.*]
ROGER SHERMAN,
SAMUEL HUNTINGTON,
WILLIAM WILLIAMS,
OLIVER WOLCOTT.

[1] This arrangement of the names is made for convenience. The States are not mentioned in the original.

[*New York.*]
WILLIAM FLOYD,
PHILIP LIVINGSTON,
FRANCIS LEWIS,
LEWIS MORRIS.

[*New Jersey.*]
RICHARD STOCKTON,
JOHN WITHERSPOON,
FRANCIS HOPKINSON,
JOHN HART,
ABRAHAM CLARK.

[*Pennsylvania.*]
ROBERT MORRIS,
BENJAMIN RUSH,
BENJAMIN FRANKLIN,
JOHN MORTON,
GEORGE CLYMER,
JAMES SMITH,
GEORGE TAYLOR,
JAMES WILSON,
GEORGE ROSS.

[*Delaware.*]
CÆSAR RODNEY,
GEORGE READ,
THOMAS M'KEAN.

[*Maryland.*]
SAMUEL CHASE,
WILLIAM PACA,
THOMAS STONE,
CHARLES CARROLL of Carrollton.

[*Virginia.*]
GEORGE WYTHE,
RICHARD HENRY LEE,
THOMAS JEFFERSON,
BENJAMIN HARRISON,
THOMAS NELSON, JR.,
FRANCIS LIGHTFOOT LEE,
CARTER BRAXTON.

[*North Carolina.*]
WILLIAM HOOPER,
JOSEPH HEWES,
JOHN PENN.

[*South Carolina.*]
EDWARD RUTLEDGE,
THOMAS HEYWARD, JR.,
THOMAS LYNCH, JR.,
ARTHUR MIDDLETON.

[*Georgia.*]
BUTTON GWINNETT,
LYMAN HALL,
GEO. WALTON.

CONSTITUTION

OF THE

UNITED STATES OF AMERICA*

WE THE PEOPLE of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE. I.

SECTION. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION. 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one

* Reprinted from the text issued by the State Department.

Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

SECTION. 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. The Times, Places and Manner of holding Elections

for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

SECTION. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION. 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION. 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if

not he shall return it, with his Objections, to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

SECTION. 8. The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

SECTION. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no

Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

ARTICLE. II.

SECTION. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one

who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation: —

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

SECTION. 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and

Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

SECTION. 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

SECTION. 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their continuance in Office.

SECTION. 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens

of another State; — between Citizens of different States, — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

SECTION. 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

SECTION. 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

SECTION. 3. New States may be admitted by the Congress into this

Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be

bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

THE AMENDMENTS.

I.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

II.

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

III.

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

IV.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

V.

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of

life or limb; nor shall be compelled in any Criminal Case to be witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

VI.

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

VII.

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

VIII.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

IX.

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

X.

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

XI.

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

XII.

The Electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots

the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; — The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; — The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

XIII.

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

XIV.

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce

any law which shall abridge the privileges or immunities of citizens of the United States: nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

XV.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

TABLE I. PRESIDENTS

	Name	State	Party	Year in Office	Vice President
1	George Washington	Va.	(Fed.)	1789–1797	John Adams
2	John Adams	Mass.	Fed.	1797–1801	Thomas Jefferson
3	Thomas Jefferson	Va.	Rep.	1801–1809	Aaron Burr George Clinton
4	James Madison	Va.	Rep.	1809–1817	George Clinton Elbridge Gerry
5	James Monroe	Va.	Rep.	1817–1825	Daniel D. Thompkins
6	John Q. Adams	Mass.	Rep.	1825–1829	John C. Calhoun
7	Andrew Jackson	Tenn.	Dem.	1829–1837	John C. Calhoun Martin Van Buren
8	Martin Van Buren	N.Y.	Dem.	1837–1841	Richard M. Johnson
9	Wm. H. Harrison	Ohio	Whig	1841–1841	John Tyler
10	John Tyler [1]	Va.	(Whig)	1841–1845	
11	James K. Polk	Tenn.	Dem.	1845–1849	George M. Dallas
12	Zachary Taylor	La.	Whig	1849–1850	Millard Fillmore
13	Millard Fillmore [1]	N.Y.	Whig	1850–1853	
14	Franklin Pierce	N.H.	Dem.	1853–1857	William R. King
15	James Buchanan	Pa.	Dem.	1857–1861	J. C. Breckenridge
16	Abraham Lincoln	Ill.	Rep.	1861–1865	Hannibal Hamlin Andrew Johnson
17	Andrew Johnson [1]	Tenn.	(Rep.)	1865–1869	
18	Ulysses S. Grant	Ill.	Rep.	1869–1877	Schuyler Colfax Henry Wilson
19	Rutherford B. Hayes	Ohio	Rep.	1877–1881	Wm. A. Wheeler
20	James A. Garfield	Ohio	Rep.	1881–1881	Chester A. Arthur
21	Chester A. Arthur [1]	N.Y.	Rep.	1881–1885	
22	Grover Cleveland	N.Y.	Dem.	1885–1889	Thomas A. Hendricks
23	Benjamin Harrison	Ind.	Rep.	1889–1893	Levi P. Morton
24	Grover Cleveland	N.Y.	Dem.	1893–1897	Adlai E. Stevenson
25	William McKinley	Ohio	Rep.	1897–1901	Garrett A. Hobart Theodore Roosevelt
26	Theodore Roosevelt	N.Y.	Rep.	1901–1909	Chas. W. Fairbanks

TABLE II. PRESIDENTIAL ELECTIONS

Year	Successful Candidate	Chief Opponent	Popular Vote		Electoral Vote
1789	Washington				Unanimous
1792	Washington				Unanimous
1796	Adams	Jefferson			71 to 68
1800	Jefferson	Adams			73 to 65 [2]
1804	Jefferson	C. C. Pinckney			162 to 14
1808	Madison	C. C. Pinckney			122 to 47
1812	Madison	De W. Clinton			128 to 89
1816	Monroe	King			183 to 34
1820	Monroe				231 to 1
1824	Adams	Jackson	105,321 to	155,872	84 of 261 [2]
1828	Jackson	Adams	647,231 to	509,097	178 to 83

[1] Raised from the vice presidency.

[2] Elected by House of Representatives.

PRESIDENTIAL ELECTIONS — *Continued*

Year	Successful Candidate	Chief Opponent	Popular Vote	Electoral Vote
1832	Jackson	Clay	687,502 to 530,189	219 to 49
1836	Van Buren	Harrison	761,549 to 736,656 [1]	170 to 73
1840	Harrison	Van Buren	1,275,017 to 1,128,702	234 to 60
1844	Polk	Clay	1,337,243 to 1,299,068	170 to 105
1848	Taylor	Cass	1,360,101 to 1,220,544	163 to 127
1852	Pierce	Scott	1,601,474 to 1,380,576	254 to 42
1856	Buchanan	Frémont	1,838,169 to 1,341,264 [2]	174 to 114
1860	Lincoln	Douglas	1,866,352 to 1,375,157 [3]	180 to 123 [4]
1864	Lincoln	McClellan	2,216,067 to 1,808,725	212 to 21
1868	Grant	Seymour	3,015,071 to 2,709,615	214 to 80
1872	Grant	Greeley	3,597,070 to 2,834,079	286 to 63 [4]
1876	Hayes	Tilden	4,033,950 to 4,284,885	185 to 184
1880	Garfield	Hancock	4,449,053 to 4,442,035	214 to 155
1884	Cleveland	Blaine	4,911,017 to 4,848,334	219 to 182
1888	Harrison	Cleveland	5,440,216 to 5,538,233	233 to 168
1892	Cleveland	Harrison	5,556,918 to 5,176,108 [5]	277 to 145
1896	McKinley	Bryan	7,104,779 to 6,502,925	271 to 176
1900	McKinley	Bryan	7,207,923 to 6,358,133	292 to 155
1904	Roosevelt	Parker	7,623,486 to 5,077,971	336 to 140

TABLE III. CONGRESS SINCE 1865

Number of Congress	Years	Senate		House		Speaker
		Rep.	Dem.	Rep.	Dem.	
39	1865–1867	41	11	145	40	Schuyler Colfax
40	1867–1869	42	11	143	49	Schuyler Colfax
41	1869–1871	58	11	151	78	James G. Blaine
42	1871–1873	57	17	138	103	James G. Blaine
43	1873–1875	47	20	194	92	James G. Blaine
44	1875–1877	43	29	107	168	Michael C. Kerr Samuel J. Randall
45	1877–1879	36	39	142	151	Samuel J. Randall
46	1879–1881	32	44	129	148	Samuel J. Randall
47	1881–1883	37	38	146	138	John W. Keifer
48	1883–1885	40	36	124	198	John G. Carlisle
49	1885–1887	42	34	120	204	John G. Carlisle
50	1887–1889	39	37	153	168	John G. Carlisle
51	1889–1891	39	37	166	159	Thomas B. Reed
52	1891–1893	47	39	88	236	Charles F. Crisp
53	1893–1895	38	44	126	220	Charles F. Crisp
54	1895–1897	42	39	246	104	Thomas B. Reed
55	1897–1899	46	34	206	134	Thomas B. Reed
56	1899–1901	53	26	185	163	David B. Henderson
57	1901–1903	56	29	198	153	David B. Henderson
58	1903–1905	58	32	206	174	Joseph G. Cannon
59	1905–1907	58	32	250	136	Joseph G. Cannon
60	1907–1909	61	29	222	164	

[1] Entire Whig opposition, 4 candidates.

[2] Fillmore, 874,538.

[3] Breckenridge, 845,763, Bell 589–581.

[4] Total opposition vote.

[5] Weaver, 1,041,028.

TABLE IV. CHIEF JUSTICES OF THE SUPREME COURT

Name	State	Appointed by	Years in Office
1 John Jay	New York	Washington	1789–1795
2 John Rutledge	South Carolina	Washington	1795–1795
3 Oliver Ellsworth	Connecticut	Washington	1796–1800
4 John Marshall	Virginia	Adams	1801–1835
5 Roger B. Taney	Maryland	Jackson	1836–1864
6 Salmon P. Chase	Ohio	Lincoln	1864–1873
7 Morrison R. Waite	Ohio	Grant	1874–1888
8 Melville W. Fuller	Illinois	Cleveland	1888-

TABLE V. THE STATES

State	Became Member of Union	Area, Square Miles	Population 1900	Electoral Vote	Rank in 1900		
					Population	Manufacturing	Agriculture
Alabama	1819	52,250	1,828,697	11	18	30	19
Arkansas	1836	53,880	1,311,564	9	25	37	22
California	1850	158,360	1,485,053	10	21	12	14
Colorado	1876	103,925	539,700	5	32	27	36
Connecticut	1788	4,990	908,355	7	29	11	38
Delaware	1787	2,050	184,735	3	43	36	44
Florida	1845	58,680	528,542	5	33	39	40
Georgia	1788	59,475	2,216,331	13	11	26	17
Idaho	1890	84,800	161,772	3	44	45	41
Illinois	1818	56,650	4,821,550	27	3	3	2
Indiana	1816	36,350	2,516,462	15	8	8	9
Iowa	1846	56,025	2,231,853	13	10	17	1
Kansas	1861	82,080	1,470,495	10	22	16	7
Kentucky	1792	40,400	2,147,174	13	12	18	15
Louisiana	1812	48,720	1,381,625	9	23	22	23
Maine	1820	33,040	694,466	6	31	21	33
Maryland	1788	12,210	1,190,050	8	26	14	29
Massachusetts	1788	8,315	2,805,346	16	7	4	31
Michigan	1837	48,915	2,420,982	14	9	10	13
Minnesota	1858	83,365	1,751,394	11	19	13	11
Mississippi	1817	46,810	1,551,270	10	20	38	18
Missouri	1821	69,415	3,106,665	18	5	7	6
Montana	1889	146,080	243,329	3	42	34	37
Nebraska	1867	77,510	1,068,539	8	27	19	10
Nevada	1864	110,700	42,335	3	46	46	45
New Hampshire	1788	9,305	411,588	4	37	24	39
New Jersey	1787	7,815	1,883,669	12	16	6	30
New York	1788	49,170	7,268,012	39	1	1	4
North Carolina	1789	52,250	1,893,810	12	15	28	20
North Dakota	1889	70,795	319,146	4	40	43	27
Ohio	1803	41,060	4,157,545	23	4	5	3
Oklahoma	1907	70,430	790,205	6	30	42	24
Oregon	1859	96,030	413,536	4	36	35	32

THE STATES — *Continued*

State	Became Member of Union	Area Square Miles	Population 1900	Electoral Vote	Rank in 1900		
					Population	Manufacturing	Agriculture
Pennsylvania	1787	45,215	6,302,115	34	2	2	8
Rhode Island	1790	1,250	428,556	4	35	15	46
South Carolina	1788	30,570	1,340,316	9	24	32	25
South Dakota	1889	77,650	401,570	4	38	41	26
Tennessee	1796	42,050	2,020,616	12	14	25	16
Texas	1845	265,780	3,048,710	18	6	23	5
Utah	1896	84,970	276,749	3	41	40	42
Vermont	1791	9,565	343,641	4	39	33	35
Virginia	1788	42,450	1,854,184	12	17	20	21
Washington	1889	69,180	518,103	5	34	29	34
West Virginia	1863	24,780	958,800	7	28	31	28
Wisconsin	1848	56,040	2,069,042	13	13	9	12
Wyoming	1890	97,890	92,531	3	45	44	43
Total States		2,784,677	74,610,523	482			

TABLE VI. THE TERRITORIES

Territory	Area, Square Miles	Population	
		1890	1900
Alaska	577,390	32,052	63,592
Arizona	113,020	59,620	122,931
District of Columbia	70	230,392	278,718
Hawaii	6,449	89,990	154,001
New Mexico	122,580	153,593	195,310
Philippines	115,026		7,635,426
Porto Rico	3,435		953,243

TABLE VII. THE SECTIONS (1790–1860)

Date	Population		Senate		House[1]	
	Free States	Slave States	Free	Slave	Free	Slave
1790	1,968,455	1,961,372	14	12	55	46
1800	2,684,616	2,621,316	16	16	76	65
1810	3,758,910	3,480,902	18	16	103	78
1820	5,152,372	4,485,819	24	24	123	90
1830	7,006,399	5,848,312	24	24	141	99
1840	9,733,922	7,334,433	26	26	135	88
1850	13,599,488	9,663,997	32	30	144	90
1860	19,128,418	12,315,372	36	30	155	91

[1] The representation in the House is that based on the census of the year mentioned, including only states in the Union in that year.

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